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NEW DELHI, SATURDAY, APRIL 23, 1983/VAISHAKHA 3, 1905

इस भाग में भिन्न पृष्ठ रखी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके
Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii) PART II—Sec. 3—Sub-Sec. (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence)

वित्त मंत्रालय
(आर्थिक कार्य विभाग)
(बैंकिंग प्रभाग)

नई दिल्ली, 26 मार्च, 1983

का. आ. 1903.—प्रादेशिक ग्रामीण बैंक अधिनियम 1976 (1976 का 21) की धारा 11 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री आई. एच. धरवाजकर को दुर्ग राजनादगांव ग्रामीण बैंक, राजनादगांव का अध्यक्ष नियुक्त करती है तथा 12-3-1983 से प्रारम्भ होकर 31-3-1986 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसके दौरान श्री आई. एच. धरवाजकर अध्यक्ष के रूप में कार्य करेंगे।

[संख्या एफ. 2-83/82-आर. आर. वी.]

MINISTRY OF FINANCE

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 26th March, 1983

S.O. 1903.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act.

32 GI/83—1

1976 (21 of 1976), the Central Government hereby appoints Shri I. H. Darwajkar as the Chairman of Durg Rajnandgaon Gramin Bank, Rajnandgaon and specifies the period commencing on the 12th March 1983 and ending with the 31st March 1986 as the period for which the said Shri I. H. Darwajkar shall hold office as such Chairman.

[No. F. 2 63/82-RRB]

का. आ. 1904.—प्रादेशिक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री आर. बी. सिंह को गगध ग्रामीण बैंक, गगध का अध्यक्ष नियुक्त करती है तथा 5-3-1983 से प्रारम्भ होकर 31-3-1986 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसके दौरान श्री आर. बी. सिंह अध्यक्ष के रूप में कार्य करेंगे।

[संख्या एफ. 2-32/82-आर. आर. वी.]

S.O. 1904.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri R. B. Singh, as the Chairman of the Magadh Gramin Bank, Gaya and specifies the period commencing on the 5th March 1983 and ending with the 31st March, 1986 as the period for which the said Shri R. B. Singh shall hold office as such Chairman.

[No. F. 2-32/82-RRB]

(1897)

का. आ. 1985 —राष्ट्रियक ग्रामीण बैंक अधिनियम, 1976 (1976 का 21) की धारा 11 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री आर. एस. द्विवेदी को श्रावस्ती ग्रामीण बैंक, बहुराइच का अध्यक्ष नियुक्त करती है तथा 4-3-1983 से प्रारम्भ होकर 31-3-1984 को समाप्त होने वाली अवधि को उस अवधि के रूप में निर्धारित करती है जिसके दौरान श्री आर. एस. द्विवेदी अध्यक्ष के रूप में कार्य करेंगे।

[संख्या एफ. 2-62/82-आर आर.वी.]

राम बेहरा, अवर सचिव

S.O. 1905.—In exercise of the powers conferred by sub-section (1) of section 11 of the Regional Rural Banks Act, 1976 (21 of 1976), the Central Government hereby appoints Shri R. S. Dwivedi as the Chairman of the Sarvasthi Gramin Bank, Bahraich and specifies the period commencing on the 4-3-1983 and ending with the 31-3-1984 as the period for which the said Shri R. S. Dwivedi shall hold office as such Chairman.

[No. F. 2-62/82-RRB]

RAAM BEHRA, Under Secy.

नई दिल्ली, 11 अप्रैल, 1983

का. आ. 1906 —बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार भारतीय रिजर्व बैंक की सिफारिश पर एतद्वारा घोषणा करती है कि उक्त अधिनियम की धारा 10-ख की उप-धारा (1) और (2) के उपबन्ध, पंजाब को-ऑपरेटिव बैंक लिमिटेड, अमृतसर पर 1 अप्रैल, 1983 से 3 महीनों के यास्त अथवा उक्त बैंक में अगले पूर्ण-कालिक अध्यक्ष की नियुक्ति होने तक, इससे से जो भी पहले हो, लागू नहीं होंगे।

[संख्या एफ. 15/8/83-बी. ओ. 3]

एन. डी. बत्रा, अवर सचिव

New Delhi, the 11th April, 1983

S.O. 1906.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendations of the Reserve Bank of India, hereby declares that the provisions of sub-sections (1) and (2) of Section 10B of the said Act, shall not apply to Punjab Co-operative Bank Ltd., Amritsar for 3 months from 1st April, 1983 to 30th June, 1983 or till the appointment of the next whole-time Chairman of that bank whichever is earlier.

[No. 15/8/83-B O. III]

N. D. BATRA, Under Secy.

पूँजी निर्गम नियंत्रक का कार्यालय

नई दिल्ली, 8 अप्रैल, 1983

का. आ. 1907 :—पूँजी निर्गम (नियंत्रण) अधिनियम, 1947 (1947 का 29) की धारा 11 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के वित्त मंत्रालय के आर्थिक कार्य विभाग की अधिसूचना का. आ. सं. 444, दिनांक 28 दिसम्बर, 1982 को निरमित करते हुए, केन्द्रीय सरकार एतद्वारा पूँजी

निर्गम नियंत्रण से संबंधित सलाहकार समिति का इस प्रकार गठन करती है :—

1. श्री एस. एस. मेहता	सभापति
2. श्री धर्मदास शास्त्री	सदस्य
3. श्री आर. एस. लोडा	सदस्य
4. श्री जे. एस. खम्बाटा	सदस्य
5. भारतीय चार्टर्ड एकाउन्टेन्ट संस्थान, नई दिल्ली के प्रधान	सदस्य

2. सलाहकार समिति का कार्यकाल इस अधिसूचना के तारीख से दो वर्ष का होगा।

[संख्या एम. 8(2)-सी.सी.आई. (2)/83]

नीतीश सेनगुप्ता, संयुक्त सचिव

(Office of the Controller of Capital Issues)

New Delhi, the 8th April, 1983

S.O. 1907.—In exercise of the powers conferred by Section 11 of the Capital Issues (Control) Act, 1947 (29 of 1947) and in supersession of the Notification of the Government of India in the Ministry of Finance, Department of Economic Affairs S.O. No. 444 dated the 28th December 1982, the Central Government hereby reconstitutes the Advisory Committee on Capital Issues Control as under :—

1. Shri S. S. Mehta	Chairman
2. Shri Dharam Dass Shastri, M.P.	Member
3. Shri R. S. Lodha	Member
4. Shri J. S. Khambata	Member
5. President of the Institute of Chartered Accountants of India, New Delhi.	Member.

2. The Advisory Committee shall have a tenure of two years with effect from the date of this Notification.

[No. S-8(2)-CCI(II)/83]

N. K. SEN GUPTA, Jt. Secy.

महात्तलय केन्द्रीय उत्पाद शुल्क : मध्यप्रदेश

अधिसूचना सं 0 5/83

इंदौर, अप्रैल 2, 1983

का. आ. 1908 :-—अधीक्षक, केन्द्रीय उत्पाद शुल्क समूह 'ख' के पत्र पर पदोन्नत होने पर निम्नलिखित निरीक्षकों, केन्द्रीय उत्पाद शुल्क (च. श्रे.) ने उनके नाम के आने वषाई तिथियों को अधीक्षक, केन्द्रीय उत्पाद शुल्क समूह 'ख' के पत्र पर कार्यभार ग्रहण कर लिया है।

क्र० अधिकांकी का नाम सं०	सैवर्मी म्यान	कार्यभार ग्रहण करने की तिथि
1	2	3
सर्वश्री		4
1. पी०के० बेन	अधीक्षक (लेखा परीक्षा) के० उ० शु०, मुख्या० कार्या० इंदौर।	31-1-83 (पूर्वाह्न)
2. वी०एम०एस० राव	अधीक्षक, के० उ० शु० रेंज 4, भोपाल।	31-1-83 (पूर्वाह्न)

1	2	3	4
3	बी०के० मेश्राम	अधीक्षक, के० उ० शु० रेंज प्र० र० बी० सी०, भिलाई ।	28-2-83 (पूर्वाह्न)
4	पी०पी० त्रिवेदी	अधीक्षक के० उ० शु०, कस्टम बोर्डिंग बेयरहाउस, भोपाल ।	7-3-83 (पूर्वाह्न)
5	सी०पी० कुरील	अधीक्षक, के० उ० शु०, बेन	16-3-83 (पूर्वाह्न)

[फा० सं० 11(3)9-गोप/83/2060]

एत० के० धर, समाह्वय

Central Excise Collectorate : M.P.

NOTIFICATION NO 5/83

Indore, the 2nd April, 1983

S.O. 1908.—Consequent upon their promotion as Superintendent, Central Excise, Group 'B' the following Inspectors of Central Excise (S.G.) have assumed their charges as Superintendent, Central Excise, Group 'B' with effect from the dates as shown against them.

S.No.	Name of the Officer	Place of posting	Date of assumption of charge
S/Shri			
1.	P.K. Bain	Superintendent (Audit) C.Ex. Hqrs. Office, Indore.	31-1-83 (FN)
2.	B.M.S. Rao	Superintendent, C.Ex. Range-IV, Bhopal.	31-1-83 (FN)
3.	B.K. Meshram	Superintendent, C.Ex. RBC Range-III, Bhilai	28-2-83 (FN)
4.	P.B. Trivedi	Superintendent, C.Ex. Cus. Bonded warehouse Bhopal.	7-3-83 (FN)
5.	C.P. Kurool	Superintendent C.Ex. Bamnore.	16-3-83 (FN)

[C. No. II(3)9-Con/83/2060]

S. K. DHAR, Collector

वाणिज्य मंत्रालय

(वस्त्र विभाग)

नई दिल्ली, 8 अप्रैल, 1983

फा० आ० 1909 :—केन्द्रीय सरकार, केन्द्रीय रेशम बोर्ड अधिनियम, 1948 (1948 का 61) की धारा 4 की उपधारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के वाणिज्य मंत्रालय (वस्त्र विभाग) की अधिसूचना फा० सं० 2234, तारीख 24 अप्रैल, 1982 का निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में,—

(i) मद 12 और उसमें संबंधित प्रविष्टि के स्थान पर निम्नलिखित रखा जाएगा, अर्थात् :—

“12 श्री शान्ता मूर्ति, अध्यक्ष, अधिनियम की धारा 4(3)(घ) के मैसूर ग्रामीण जिला कांग्रेस समिति अधीन कर्नाटक सरकार द्वारा नामित”

(ii) मद 30 और उसमें संबंधित प्रविष्टि के पश्चात् निम्नलिखित जोड़ा जाएगा, अर्थात् :—

“31 श्री सी० पी० पाटिल, अधिवक्ता, अधिनियम की धारा 4(3) (अ) के बरकबर उदगिर, रेसी लाहू, महाराष्ट्र अधीन केन्द्रीय सरकार द्वारा नामित।”

[फा० सं० 25012/11/82 रेशम]

के० चौधुरी, उपा मन्त्रि

MINISTRY OF COMMERCE

(Department of Textiles)

New Delhi, the 8th April, 1983

S.O. 1909.—In exercise of the powers conferred by sub-section (3) of section 4 of the Central Silk Board Act, 1948 (61 of 1948), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Commerce (Department of Textiles) S.O.No. 2234, dated the 24th April, 1982, namely :—

In the said notification, (i) for item 12 and the entry relating thereto, the following shall be substituted, namely :—

“12. Shri Shanthamurthy, Nominated by the Government of Karnataka President, Mysore Rural District under Section 4(3)(d) Congress Committee (I) of the Act.

(ii) after item 30 and the entry relating thereto, the following shall be added, namely :—

“31. Shri C.P. Patil, Nominated by the Advocate, Post at Udgi Central Government Resi Lahu, of under section 4(3)(i) Maharashtra. of the Act.

[F.No. 25012/11/82-Silk]

K. CHAUDHURI, Dy. Secy.

इस्पात और खान मंत्रालय

(इस्पात विभाग)

नई दिल्ली, 4 अप्रैल, 1983

फा० आ० 1910 :—केन्द्रीय सरकार राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप-नियम (4) के अनुसरण में स्टील अथॉरिटी आफ इंडिया लिमिटेड (मुख्यालय) नई दिल्ली को, जिसके कर्मचारीवृन्द ने हिन्दी का कार्यभाषक ज्ञान प्राप्त कर लिया है, अधिसूचित करती है।

[संख्या ई.-11011/1/82-हिन्दी]

नरदेव सिंह, अवर सचिव

MINISTRY OF STEEL AND MINES

(Department of Steel)

New Delhi, the 4th April, 1983

S.O. 1910.—In pursuance of sub-rule (4) of rule 10 of the Official Languages (Use for official purposes of the Union) Rules, 1976, the Central Government hereby notifies Steel Authority of India Limited (Head Office) New Delhi, the staff whereof have acquired the working knowledge of Hindi.

[No. E-11011/1/82-Hindi]

NARDEO SINGH, Under Secy.

स्वास्थ्य और परिवार कल्याण मंत्रालय

(स्वास्थ्य विभाग)

नई दिल्ली, 6 अप्रैल, 1983

का० भा० 1911 :—यतः दंत चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 3 के खण्ड (ङ) के अनुमरण में निम्नलिखित व्यक्ति अपने नामों के सामने लिखी मनोनयन की तिथि से भारतीय दंत चिकित्सा परिषद् के सदस्य बनाये जाने के लिए राज्य सरकारों द्वारा मनोनीत किए गए हैं।

सदस्यों के विवरण	राज्य सरकार का नाम जिसने उसे मनोनयन किया	मनोनयन की तिथि
1	2	3
1 डा० एस० गणदेसिकन, निदेशक, चिकित्सा शिक्षा, मद्रास।	तमिलनाडु	1-10-1982
2 डा० एस० एस० आहुजा, दंत चिकित्सा के प्रोफेसर, मेडिकल कालेज, भोपाल, और दंत चिकित्सा के सलाहकार, मध्य प्रदेश सरकार, भोपाल।	मध्य प्रदेश	1-10-1982
3 डा० श्रीकान्त प्रस्ती, दंत चिकित्सा के प्रोफेसर, एस० सी० बी० मेडिकल कालेज, कटक।	उड़ीसा	21-9-1982
4 डा० सी० पी० बोघानी, एम० डी० एस० (बम्बई), डी० पी० डी० (इंग्लैंड), पेरीडोन्शिया के प्रोफेसर, सरकारी डेंटल कालेज और अस्पताल, अहमदाबाद।	गुजरात	18-10-1982

यतः अब उक्त अधिनियम की धारा 3 के खण्ड (ङ) के अनुमरण में केन्द्रीय सरकार एतद्वारा भारत सरकार के स्वास्थ्य मंत्रालय की 12 अप्रैल, 1949 की पूर्ववर्ती अधिसूचना संख्या एफ० 10-10-48एम०आई० में, जो भारत सरकार के स्वास्थ्य और परिवार कल्याण मंत्रालय (स्वास्थ्य विभाग) की 9 फरवरी, 1978 की अधिसूचना संख्या एस० ओ० 533 में पुनः प्रकाशित हुई है, निम्नलिखित और संशोधन करना है, अर्थात् :—

उक्त अधिसूचना में "धारा 3 के खण्ड (ङ) के अधीन मनोनीत "श्री" के अधीन क्रम संख्या 6, 7, 13 और 14 और उनसे सम्बन्धित प्रविष्टियों के स्थान पर निम्नलिखित क्रम संख्या और प्रविष्टियाँ प्रतिस्थापित की जाएँ, अर्थात् :—

"6 डा० एस० गणदेसिकन, निदेशक, चिकित्सा शिक्षा, मद्रास।	तमिल नाडु सरकार	24-8-82
7 डा० एस० एस० आहुजा, दंत चिकित्सा के प्रोफेसर, मेडिकल कालेज, भोपाल और दंत चिकित्सा के सलाहकार, मध्य प्रदेश सरकार, भोपाल, मध्य प्रदेश।	मध्य प्रदेश सरकार	1-10-82

1	2	3
13 डा० श्रीकान्त प्रस्ती, दंत चिकित्सा के प्रोफेसर, एस० सी० बी० मेडिकल कालेज, कटक।	उड़ीसा सरकार	21-9-82
14 डा० सी० पी० बोघानी, एम० डी० एस० (बम्बई), डी० पी० डी० (इंग्लैंड), प्रोफेसर, पेरीडोन्शिया, गवर्नमेंट डेंटल कालेज और अस्पताल, अहमदाबाद।	गुजरात सरकार	18-10-82

[सं० बी० 12013/4/82 ए० एम० एस०]

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health)

New Delhi, the 6th April, 1983

S.O. 1911.—Whereas in pursuance of clause (a) of section 3 of the Dentists Act, 1948 (16 of 1948), the following persons have been nominated by the State Governments indicated against their names to be the members of the Dental Council of India with effect from date of nomination shown against each, namely :—

Particulars of Members	Name of the State Government which nominated him	Date of nomination
1. Dr. S. Gnanadasikan, Director Medical Education, Madras.	Tamil Nadu	24-8-82
2. Dr. S.S. Ahuja, Professor of Dentistry, Medical College, Bhopal and Adviser in Dentistry to Government of Madhya Pradesh, Bhopal, M.P.	Madhya Pradesh	1-10-82
3. Dr. Srikant Prusty, Professor of Dentistry, S.C.B. Medical College, Cuttack.	Orissa	21-9-82
4. Dr. C.P. Boghani, MDS (Bom) DPD (Eng.), Professor of Periodontia, Government Dental College and Hospital, Ahmedabad.	Gujarat	18-10-82

Now, therefore, in pursuance of clause (e) of section 3 of the said Act, the Central Government hereby makes the following further amendments in the notification of the Government of India in the late Ministry of Health No.F.10-10/48-MI, dated the 12th April, 1949, as republished by the notification of the Government of India in the Ministry of Health and Family

Welfare (Department of Health), No. SO 533, dated the 9th February, 1978, namely :—

In the said notification, under the heading "Nominated under clause (e) of section 3" for serial numbers 6, 7, 13 and 14 and the entries relating thereto, the following serial numbers and entries shall respectively be substituted, namely :—

- | | | |
|--|------------------------------|-----------|
| "6. Dr. S. Guanadesikan,
Director Medical Education,
Madras. | Tamil Nadu
Government | 24-8-82 |
| 7. Dr. S.S. Ahuja,
Professor of Dentistry,
Medical College,
Bhopal and Adviser in Dentistry
to Government of Madhya
Pradesh, Bhopal, M.P. | Madhya Pradesh
Government | 1-10-82 |
| 13. Dr. Srikant Prusty,
Professor of Dentistry,
S.C.B. Medical College,
Cuttack. | Orissa
Government | 21-9-82 |
| 14. Dr. C.P. Beghani,
MDS(Bom) DPD (Eng.),
Professor of Periodontia,
Government Dental College
and Hospital, Ahmedabad. | Gujarat
Government | 18-10-82" |

No. V-12013/4/82-PMS

of the Dental Council of India with effect from the 21st September, 1982 to hold office till the 28th April, 1986 ;

Now, therefore, in pursuance of clause (e) of section 3 read with sub-section (4) of section 6 of the said Act, the Central Government hereby makes the following further amendment in the notification of the Government of India in the late Ministry of Health No. 10-10/48-MI, dated the 12th April, 1949, as republished by the notification of the Government of India in the Ministry of Health and Family Welfare (Department of Health) No. S.O. 533, dated the 9th February, 1978, namely :—

In the said notification, under the heading "Nominated under clause (c) of section 3" for serial number 8 and the entries relating thereto, the following serial number and entries shall be substituted, namely :—

- | | | |
|--|--------------------------------|------------------------|
| "8. Dr. P.K. Saxena,
Director of Medical
Education and Training,
Lucknow. | Government of
Uttar Pradesh | 21-9-82 to
28-4-86" |
|--|--------------------------------|------------------------|

[No. V. 12013/4/82-PMS]
S. P. PATHAK, Under Secy.

ऊर्जा मंत्रालय

(पेट्रोलियम विभाग)

नई दिल्ली, 6 अप्रैल, 1983

आ आ 1912 यत्. वस्तु चिकित्सक अधिनियम, 1948 (1948 का 16) की धारा 6 की उप-धारा (4) के साथ पठित धारा 3 के खंड (क) के अनुसरण में उत्तर प्रदेश सरकार ने आ० पी० के० मकसोना, निदेशक, चिकित्सा शिक्षा और प्रशिक्षण, लखनऊ को 21 मितम्बर, 1982 से 28 अप्रैल, 1986 तक भारतीय वस्तु चिकित्सा परिषद् का सदस्य मनोनित किया है।

अतः अब उक्त अधिनियम की धारा 6 की उपधारा (4) के साथ पठित धारा 3 के खंड (क) के अनुसरण में केन्द्रीय सरकार एतद्वारा भारत सरकार के पूर्ववर्ती स्वास्थ्य मंत्रालय की 12-4-1949 की अधिसूचना सं० एफ० 10-10/48-एम 1 में, जो भारत सरकार के स्वास्थ्य और परिवार कल्याण मंत्रालय (स्वास्थ्य विभाग) की 9 फरवरी, 1978 की अधिसूचना संख्या एम० ओ० 533 में पुनः प्रकाशित हुई है, निम्नलिखित और संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में "धारा 3 के खंड (क) के अधीन मनोनित" शीर्ष के अंतर्गत क्रम सं० 8 और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित क्रम संख्या और प्रविष्टियाँ प्रतिस्थापित की जाएँ अर्थात् :—

- | | | |
|----------------------|--------------|-------------|
| 8. आ० पी० के० मकसोना | उत्तर प्रदेश | 21-9-82 से |
| निदेशक चिकित्सा | सरकार | 28-4-86 तक। |
| शिक्षा और प्रशिक्षण, | | |
| उत्तर प्रदेश, लखनऊ | | |

[सं० की० 12013/4/82-पी० एम० एत०]

एम० पी० पाठक, अवर सचिव

S.O. 1912.—Whereas in pursuance of clause (c) of section 3 read with sub-section (4) of section 6 of the Dentists Act, 1948 (16 of 1948), Dr. P. K. Saxena, Director of Medical Education and Training, Lucknow, has been nominated by the Government of Uttar Pradesh to be member

का० आ० 1913 :—यत्. पेट्रोलियम और खनिज पादपलाहन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम, रसायन और उर्वरक मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का० आ० सं० 2385 तारीख 20-8-81 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पादपलाहनों को बिछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यत्. समक्ष प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यत्. केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पादपलाहन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निश्चय लेती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने के बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

डी० एन० 2 सोमासन से जी० जी० एस० II सोमासन तक पाइप लाइन बिछाने के लिए ।

राज्य--गुजरात

तालुका व जिला--मेहसाना

गांव	ब्लॉक नं०	हेक्टेयर	ए० आर० सेन्टी कि० अर	
1	2	3	4	5
जगुदान	1050/1	0	05	18
	1015	0	14	00
	499	0	05	52
	499	0	06	00
	505	0	05	50
	508	0	02	00
	510	0	00	50
	511	0	06	24
	495	0	02	50
	493	0	02	64
	513	0	04	28
	516	0	01	56
	515/ए	0	02	75
	515	0	04	80
	515/बी	0	04	30
	518	0	03	84
	520	0	03	24
	523	0	04	90
	525	0	06	60
	607	0	15	10
	610	0	03	48
	615	0	10	08
	611	0	08	64
	637	0	08	40
	636	0	02	88
	638	0	10	90
	638	0	08	00
	464	0	04	30

[सं० 12016/26/81-प्रोड० I]

राजेश्वर सिंह, निदेशक

MINISTRY OF ENERGY

(Department of Petroleum)

New Delhi, the 6th April, 1983

S.O. 1913.—Whereas by notification of the Government of India in the Ministry of Petroleum, Chemicals & Fertilizer, (Department of Petroleum) S.O. 2385 dated 20-8-81 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas, the Competent Authority has under Sub-Section (1) of Section 6 of the said Act, submitted report to the Government;

And further, whereas the Central Government has, after considering the said report, decided to acquire the right of

user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vests on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from D.S. No. 2 Sobhasan to GGS IIS bhasan

State : Gujarat

Taluka & District : Mahesana

Village	Block No.	Hee. tare	Are tare	Cent. tare
Jagudan	1050/1	0	05	16
	1015	0	14	00
	499	0	05	52
	499	0	06	00
	505	0	05	50
	508	0	02	00
	510	0	02	50
	511	0	06	24
	495	0	02	50
	493	0	00	64
	513	0	04	28
	516	0	01	56
	515/A	0	02	75
	515	0	04	80
	515/B	0	04	30
	518	0	03	84
	520	0	03	24
	523	0	04	90
	525	0	06	60
	607	0	15	10
	610	0	03	48
	615	0	10	08
	611	0	08	64
	637	0	08	40
	636	0	02	88
	638	0	10	90
	638	0	06	00
	464	0	04	30

[No. 12016/26/81-Prod. I]

RAJENDRA SINGH, Director,

(कोयला विभाग)

नई दिल्ली, 31 मार्च, 1983

का. आ. 1914.—कोयला खान श्रम कल्याण निधि अधिनियम, 1947 (1947 का 32) की धारा 9 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने श्री डी. पण्डा को कोयला खान श्रम कल्याण संगठन में कल्याण आयुक्ता (विशेष ग्रेड) के पद पर पहली अप्रैल, 1983 के पूर्वार्द्ध से 30 सितम्बर, 1983 अथवा आगामी आदेश, जो भी पहले हो, तक पुनः नियुक्त किया है।

[सं. ए-40012/1/83-प्रशा.-1/सी. एम. डब्ल्यू.]

श्रीमती कृ. सुंद, निदेशक

(Department of Coal)

New Delhi, the 31st March, 1983

S.O. 1914.—In exercise of the powers conferred by sub-section (1) of section 9 of the Coal Mines Labour Welfare Fund Act, 1947 (32 of 1947), the Central Government has re-

employed Shri D. Panda as Welfare Commissioner (Special Grade) in the Coal Mines Labour Welfare Organisation with effect from the forenoon of 1st April, 1983 and upto 30th September, 1983, or until further orders, whichever is earlier.

[No. A-40012/1/83-Adm. I-CMW]

(SMT.) K. SOOD, Director

कृषि मंत्रालय

(कृषि और सहकारीता विभाग)

आदेश

नई दिल्ली, अप्रैल 2, 1983

का० आ० 1915—गणपति, केन्द्रीय मिथिल सेवा (वर्गीकरण, नियंत्रण और अपील), नियम 1965 के नियम 9 के उपनियम (2)), नियम 12 के उपनियम (2) के खण्ड (ख) और नियम 24 के उपनियम (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के कृषि और सिंचाई मंत्रालय (कृषि विभाग) के आदेश सं० का० आ० 3160 तारीख 24 सितम्बर, 1977 को अधिष्ठापित करने हुए निदेश देते हैं कि—

(1) इस आदेश से उपाबद्ध अनुसूची के भाग 1 के स्तंभ 1 में विनिर्दिष्ट साधारण केन्द्रीय सेवा समूह "ग" के पदों की बाबत स्तम्भ 2 और 3 की तत्स्थानी प्रविष्टि में विनिर्दिष्ट प्राधिकारी क्रमशः नियुक्ति प्राधिकारी और अनुशासनिक प्राधिकारी होंगे और स्तम्भ 5 में विनिर्दिष्ट प्राधिकारी, स्तम्भ 4 में विनिर्दिष्ट शास्तियों की बाबत अपील प्राधिकारी होंगे।

(2) उक्त अनुसूची के भाग II के स्तम्भ 1 में विनिर्दिष्ट साधारण केन्द्रीय सेवा समूह "घ" के पदों की बाबत स्तम्भ 2 और 3 की तत्स्थानी प्रविष्टि में विनिर्दिष्ट प्राधिकारी क्रमशः नियुक्ति प्राधिकारी और अनुशासनिक प्राधिकारी होंगे और स्तम्भ 5 में विनिर्दिष्ट प्राधिकारी, स्तम्भ 4 में विनिर्दिष्ट शास्तियों की बाबत अपील प्राधिकारी होंगे।

अनुसूची

पद का वर्णन	नियुक्ति प्राधिकारी	शास्तियां अधिरोपित करने के लिए सक्षम प्राधिकारी और वे शास्तियां जो बहु (नियम 11 में मव सं० के प्रतिनिर्देश से) अधिरोपित कर सकेगा	अपील प्राधिकारी	
		प्राधिकारी	शास्तियां	
1	2	3	4	5

भाग 1—साधारण केन्द्रीय सेवा, समूह "ग"

(क) वन अनुसंधान संस्थान और महाविद्यालय, देहरादून

सभी पद	रजिस्ट्रार, वन अनुसंधान संस्थान और महाविद्यालय	रजिस्ट्रार, वन अनुसंधान संस्थान और महाविद्यालय निदेशक, वन शिक्षा या निदेशक, वन उत्पाद अनुसंधान या निदेशक जैव अनुसंधान या निदेशक, वन अनुसंधान या प्राधानाचार्य, उत्तरी वन रेंजर महाविद्यालय या संकायाध्यक्ष, भारतीय वन महाविद्यालय या प्रधानाचार्य, राज्य वन सेवा महाविद्यालय या ज्येष्ठ अनुसंधान अधिकारी या किसी शाखा के भारसाधक अधिकारी के समतुल्य या उच्चतर प्रास्थिति का अन्य अधिकारी।	सभी	अध्यक्ष, वन अनुसंधान संस्थान और महाविद्यालय, देहरादून अध्यक्ष, वन अनुसंधान संस्थान और महाविद्यालय, देहरादून
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(ख) दक्षिणी वन रेंजर महाविद्यालय और अनुसंधान केन्द्र कोयमटूर

सभी पद	प्रधानाचार्य और प्रधान, जैव अनुसंधान, दक्षिणी वन रेंजर महाविद्यालय और अनुसंधान केन्द्र, कोयमटूर	प्रधानाचार्य और प्रधान, जैव अनुसंधान, दक्षिणी वन रेंजर महाविद्यालय और अनुसंधान केन्द्र, कोयमटूर	सभी	अध्यक्ष, वन अनुसंधान संस्थान और महाविद्यालय, देहरादून।
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(ग) पूर्वी वन रेंजर महाविद्यालय, कुसियांग

सभी पद	प्रधानाचार्य, पूर्वी वन रेंजर महाविद्यालय, कुसियांग	प्रधानाचार्य, पूर्वी वन रेंजर महाविद्यालय, कुसियांग	सभी	अध्यक्ष वन अनुसंधान संस्थान और महाविद्यालय, देहरादून।
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(ब) वन अनुसंधान प्रयोगशाला, बंगलौर				
सभी पद	प्रधान, उपयोग अनुसंधान, वन अनुसंधान प्रयोगशाला, बंगलौर	प्रधान, उपयोग अनुसंधान, वन अनुसंधान प्रयोगशाला, बंगलौर	सभी	अध्यक्ष, वन अनुसंधान संस्थान और महाविद्यालय, देहरादून।
(ङ) राज्य वन सेवा महाविद्यालय, कोयम्बतूर				
सभी पद	प्रधानाचार्य, राज्य वन सेवा महाविद्यालय, कोयम्बतूर	प्रधानाचार्य राज्य वन सेवा महाविद्यालय, कोयम्बतूर	सभी	अध्यक्ष, वन अनुसंधान और महाविद्यालय, देहरादून
(च) प्रादेशिक वन अनुसंधान केन्द्र, जबलपुर				
सभी पद	ज्येष्ठ अनुसंधान भारसाधक अधिकारी प्रादेशिक वन अनुसंधान केन्द्र, जबलपुर	ज्येष्ठ अनुसंधान भारसाधक अधिकारी प्रादेशिक वन अनुसंधान केन्द्र, जबलपुर	सभी	अध्यक्ष, वन अनुसंधान संस्थान और महाविद्यालय, देहरादून
(छ) राज्य वन सेवा महाविद्यालय एवम् अनुसंधान केन्द्र, बर्नीहाट				
सभी पद	प्रधानाचार्य और प्रधान, राज्य वन सेवा महाविद्यालय एवम् अनुसंधान केन्द्र, बर्नीहाट।	प्रधानाचार्य और प्रधान, राज्य वन सेवा महाविद्यालय एवम् अनुसंधान केन्द्र, बर्नीहाट	सभी	अध्यक्ष वन अनुसंधान संस्थान और महाविद्यालय, देहरादून
(ज) यूक्लिप्टम अनुसंधान केन्द्र, हैदराबाद				
सभी पद	समन्वयकर्ता, यूक्लिप्टम, अनुसंधान केन्द्र, हैदराबाद।	समन्वयकर्ता, यूक्लिप्टम अनुसंधान केन्द्र, हैदराबाद	सभी	अध्यक्ष, वन अनुसंधान संस्थान और महाविद्यालय, देहरादून।
(झ) बीज बैंक और बीज विकास और वृक्ष प्रजनन केन्द्र, हैदराबाद				
सभी पद	समन्वयकर्ता, वृक्ष प्रजनन केन्द्र, हैदराबाद	स्कीम, समन्वयकर्ता, वृक्ष प्रजनन केन्द्र, हैदराबाद	स्कीम, सभी	अध्यक्ष, वन अनुसंधान संस्थान और महाविद्यालय देहरादून
(ञ) वन की जातियों के नयोजन से नये बाटे गए वन वृक्षों से नकदी फसल उगाने के अनुसंधान और				
सभी पद	समन्वयकर्ता, नकदी फसल स्कीम, रांची	समन्वयकर्ता, नकदी फसल स्कीम रांची	सभी	प्रदर्शन की पायलट स्कीम, रांची अध्यक्ष, वन अनुसंधान संस्थान और महाविद्यालय, देहरादून।
(ट) चन्दन कण्ठ अनुसंधान केन्द्र बंगलौर				
सभी पद	समन्वयकर्ता, चन्दन कण्ठ अनुसंधान केन्द्र, बंगलौर	समन्वयकर्ता, चन्दन कण्ठ अनुसंधान केन्द्र, बंगलौर।	सभी	अध्यक्ष, वन अनुसंधान संस्थान और महाविद्यालय, देहरादून
(ठ) केन्द्रीय वन रेंजर महाविद्यालय, चन्द्रपुर				
सभी पद	प्रधानाचार्य, केन्द्रीय वन रेंजर महाविद्यालय, चन्द्रपुर	प्रधानाचार्य, केन्द्रीय वन रेंजर महाविद्यालय, चन्द्रपुर	सभी	अध्यक्ष, वन अनुसंधान संस्थान और महाविद्यालय, देहरादून।
(ड) उच्च स्तर शंकुवृक्ष पुनर्जनन अनुसंधान केन्द्र, शिमला				
सभी पद	समन्वयकर्ता, उच्चस्तर शंकुवृक्ष पुनर्जनन केन्द्र, शिमला	समन्वयकर्ता, उच्चस्तर शंकुवृक्ष पुनर्जनन केन्द्र, शिमला	सभी	अध्यक्ष, वन अनुसंधान संस्थान और महाविद्यालय, देहरादून
(ढ) वन रेंजर महाविद्यालय, बालघाट				
सभी पद	प्रधानाचार्य, वन रेंजर महाविद्यालय, बालघाट	प्रधानाचार्य, वन रेंजर महाविद्यालय, बालघाट	सभी	अध्यक्ष, वन अनुसंधान संस्थान और महाविद्यालय, देहरादून
भाग 2 : साधारण केन्द्रीय सेवा समूह "घ"				
(क) वन अनुसंधान संस्थान और महाविद्यालय, देहरादून				
सभी पद	उप-रजिस्ट्रार, वन अनुसंधान संस्थान और महाविद्यालय।	उप-रजिस्ट्रार, वन अनुसंधान संस्थान और महाविद्यालय।	सभी	अध्यक्ष, वन अनुसंधान संस्थान और महाविद्यालय, देहरादून।
		निदेशक वन शिक्षा या निदेशक वन उत्पाद अनुसंधान या निदेशक, जब अनुसंधान या निदेशक वन अनुसंधान या प्रधानाचार्य उच्चरी वन रेंजर महाविद्यालय, या संकायाध्यक्ष, भारतीय वन महाविद्यालय या ज्येष्ठ प्रधानाचार्य राज्य वन सेवा महाविद्यालय या अनुसंधान अधिकारी या किसी शाखा के भारसाधक अधिकारी के समतुल्य या उच्चतर प्रस्थिति का अन्य अधिकारी।	(1) से से (4)	अध्यक्ष, वन अनुसंधान संस्थान और महाविद्यालय, देहरादून

(1)	(2)	(3)	(4)	(5)
(ख) दक्षिणी वन रेंजर महाविद्यालय और अनुसंधान केन्द्र, कोयम्बतूर सभी पद	प्रधानाचार्य और प्रधान, जैव अनुसंधान दक्षिणी वन रेंजर महाविद्यालय और अनुसंधान केन्द्र, कोयम्बतूर	प्रधानाचार्य और प्रधान, जैव अनु- संधान, दक्षिणी वन रेंजर महा- विद्यालय और अनुसंधान केन्द्र कोयम्बतूर	सभी	अध्यक्ष, वन अनुसंधान संस्थान और महाविद्यालय, वेहराटून
(ग) पूर्वी वन रेंजर महाविद्यालय, कुर्तियांग सभी पद	प्रधानाचार्य, पूर्वी वन रेंजर महा- विद्यालय, कुर्तियांग	प्रधानाचार्य, पूर्वी वन रेंजर महा- विद्यालय, कुर्तियांग	सभी	अध्यक्ष, वन अनुसंधान संस्थान और महाविद्यालय, वेहराटून
(घ) वन अनुसंधान प्रयोगशाला, बंगलौर सभी पद	प्रधान, उपयोग अनुसंधान वन अनु- संधान प्रयोगशाला, बंगलौर	प्रधान, उपयोग अनुसंधान वन अनु- संधान प्रयोगशाला, बंगलौर	सभी	अध्यक्ष, वन अनुसंधान संस्थान और महाविद्यालय, वेहराटून।
(ङ) प्रादेशिक वन अनुसंधान केन्द्र, जबलपुर सभी पद	ज्येष्ठ अनुसंधान भारसाधक अधि- कारी, प्रादेशिक वन अनुसंधान केन्द्र, जबलपुर	ज्येष्ठ अनुसंधान भारसाधक अधि- कारी, प्रादेशिक वन अनुसंधान केन्द्र, जबलपुर	सभी	अध्यक्ष, वन अनुसंधान संस्थान और महाविद्यालय, वेहराटून
(च) राज्य वन सेवा महाविद्यालय एवं अनुसंधान केन्द्र, बनौहाट सभी पद	प्रधानाचार्य और अनुसंधान, प्रधान, राज्य वन सेवा महाविद्यालय एवं अनुसंधान केन्द्र, बनौहाट	प्रधानाचार्य और अनुसंधान प्रधान, सभी राज्य वन सेवा महाविद्यालय एवं अनुसंधान केन्द्र, बनौहाट	सभी	अध्यक्ष, वन अनुसंधान संस्थान और महाविद्यालय, वेहराटून
(छ) यूकेलिप्टस अनुसंधान केन्द्र, हैदराबाद सभी पद	समन्वयकर्ता, यूकेलिप्टस अनुसंधान केन्द्र, हैदराबाद	समन्वयकर्ता, यूकेलिप्टस अनुसंधान, सभी केन्द्र, हैदराबाद	सभी	अध्यक्ष, वन अनुसंधान संस्थान और महाविद्यालय, वेहराटून
(ज) बीज बैंक और बीज सुधार और वृक्ष प्रजनन केन्द्र, हैदराबाद सभी पद	समन्वयकर्ता, वृक्ष प्रजनन स्कीम, हैदराबाद।	समन्वयकर्ता, वृक्ष प्रजनन स्कीम, सभी हैदराबाद।	सभी	अध्यक्ष, वन अनुसंधान संस्थान और महाविद्यालय वेहराटून
(झ) वन रेंजर महाविद्यालय, बालघाट सभी पद	प्रधानाचार्य, वन रेंजर महाविद्यालय, बालघाट	प्रधानाचार्य, वन रेंजर महाविद्यालय, सभी बालघाट	सभी	अध्यक्ष, वन अनुसंधान संस्थान और महाविद्यालय, वेहराटून
(ञ) राज्य वन सेवा महाविद्यालय, कोयम्बतूर सभी पद	प्रधानाचार्य, वन सेवा महाविद्यालय, कोयम्बतूर	प्रधानाचार्य, राज्य वन सेवा महाविद्यालय, कोयम्बतूर	सभी	अध्यक्ष, वन अनुसंधान संस्थान और महाविद्यालय वेहराटून
(ट) वन की जातियों के संयोजन से नए काटे गए वन वृक्षों में तकदी फसल उगाने के अनुसंधान और प्रदर्शन की पायलट स्कीम, रांची सभी पद	समन्वयकर्ता, तकदी फसल स्कीम, रांची	समन्वयकर्ता तकदी फसल स्कीम, रांची	सभी	अध्यक्ष, वन अनुसंधान संस्थान और महाविद्यालय, वेहराटून
(ठ) चन्दन कणिका अनुसंधान केन्द्र, बंगलौर सभी पद	समन्वयकर्ता, चन्दन कणिका अनुसंधान केन्द्र, बंगलौर	समन्वयकर्ता चन्दन कणिका अनुसंधान केन्द्र, बंगलौर	सभी	अध्यक्ष वन अनुसंधान संस्थान और महाविद्यालय, वेहराटून
(ड) केन्द्रीय वन रेंजर महाविद्यालय, चम्बरपुर सभी पद	प्रधानाचार्य, केन्द्रीय वन रेंजर महा- विद्यालय, चम्बरपुर	प्रधानाचार्य, केन्द्रीय वन रेंजर महा- विद्यालय, चम्बरपुर	सभी	अध्यक्ष, वन अनुसंधान संस्थान और महाविद्यालय, वेहराटून
(६) उच्चतर शंकुवृक्ष पुनर्जनन अनुसंधान केन्द्र, शिमला सभी पद	समन्वयकर्ता, उच्चतर शंकुवृक्ष पुनर्जनन केन्द्र, शिमला	समन्वयकर्ता, उच्चतर शंकुवृक्ष प्रजनन केन्द्र, शिमला	सभी	अध्यक्ष, वन अनुसंधान संस्थान और महाविद्यालय, वेहराटून

[सं० 7-17/79-एफ आर आई० एफ० आर० ई]
दीन ब्याल, अवर सचिव

MINISTRY OF AGRICULTURE

(Department of Agriculture & Cooperation)

ORDER

New Delhi, the 2nd April, 1983

S.O. 1915 .— In exercise of the powers conferred by sub-rule (2) of rule 9, clause (b) of sub-rule (2) of rule 12 and sub-rule (1) of rule 24 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965 and in supersession of the orders of the Government of India in the Ministry of Agriculture and Irrigation (Department of Agriculture) No. S.O. 3160 dated the 24th September, 1977, the President hereby directs that :

(1) in respect of the posts in the General Central Service, Group C, specified in column 1 of Part I of the Schedule annexed to this order, the authorities specified in the corresponding entries in columns 2 and 3 shall be the appointing authority and the disciplinary authority respectively and the authority specified in column 5 shall be the appellate authority in regard to the penalties specified in column 4.

(2) in respect of the posts in the General Central Service Group D, specified in column 1 of Part II of the said schedule the authorities specified in the corresponding entries in columns 2 and 3 shall be the appointing authority and the disciplinary authority respectively and the authority specified in column 5 shall be the appellate authority in regard to the penalties specified in column 4.

SCHEDULE

Description of post	Appointing Authority	Authority competent to impose penalties and penalties which it may impose [with reference to item numbers in rule (11)]		Appellate Authority
		Authority	Penalties	
1	2	3	4	5
PART I—GENERAL CENTRAL SERVICE, GROUP 'C'				
(a) FOREST RESEARCH INSTITUTE AND COLLEGES, DEHRA DUN.				
All posts	Registrar, Forest Research Institute and Colleges.	Registrar, Forest Research Institute and Colleges.	All	President, Forest Research Institute and Colleges, Dehra Dun.
		Director of Forest Educational or Director of Forest Products Research or Director of Biological Research or Director of Forestry Research or Principal, Northern Forest Rangers College or Dean, Indian Forest College or Principal, State Forest Service College or Senior Research Officers or other officers of equivalent or higher status in charge of a Branch.	(i) to (iv)	President, Forest Research Institute and Colleges, Dehra Dun.
(b) SOUTHERN FOREST RANGERS COLLEGE AND RESEARCH CENTRE, COIMBATORE.				
All posts	Principal and Head of Biological Research Southern Forest Rangers College and Research Centre, Coimbatore.	Principal and Head of Biological Research, Southern Forest Rangers College and Research Centre, Coimbatore.	All	President, Forest Research Institute and Colleges, Dehra Dun.
(c) EASTERN FOREST RANGERS COLLEGE, KURSEONG.				
All posts	Principal, Eastern Forest Rangers College, Kurseong.	Principal Eastern Forest Rangers College, Kurseong.	All	President, Forest Research Institute and Colleges, Dehra Dun.
(d) FOREST RESEARCH LABORATORY BANGALORE.				
All posts	Head of Utilisation Research, Forest, Research Laboratory, Bangalore.	Head of Utilisation Research, Forest Research Laboratory, Bangalore.	All	President, Forest Research Institute and Colleges, Dehra Dun.
(e) STATE FOREST SERVICE COLLEGE, COIMBATORE.				
All posts	Principal, State Forest Service College, Coimbatore.	Principal, State Forest Service College, Coimbatore.	All	President, Forest Research Institute and Colleges, Dehra Dun.
(f) REGIONAL FOREST RESEARCH CENTRE, JABALPUR.				
All posts	Senior Research Officer-in-Charge, Regional Forest, Research Centre, Jabalpur.	Senior Research Officer-in-Charge, Regional Forest Research Centre, Jabalpur.	All	President, Forest Research Institute and Colleges, Dehra Dun.

1	2	3	4	5
(g) STATE FOREST SERVICE COLLEGE-CUM-RESEARCH CENTRE, BURNIHAT				
All posts	Principal and Head of State Forest Service College-cum-Research Centre, Burnihat.	Principal and Head of State Forest Service College-cum-Research Centre, Burnihat.	All	President, Forest Institute and Dhera Dun. Research Colleges,
(h) EUCALYPTS RESEARCH CENTRE, HYDERABAD				
All posts	Co-ordinator, Eucalypts Research Centre, Hyderabad.	Co-ordinator, Eucalypts Research Centre, Hyderabad.	All	President, Forest Institute and Dhera Dun. Research Colleges,
(i) SEED BANK AND SEED IMPROVEMENT AND TREE BREEDING CENTRE, HYDERABAD.				
All posts	Coordinator, Tree Breeding Scheme, Hyderabad.	Coordinator, Tree Breeding Scheme, Hyderabad.	All	President, Forest Institute and Dhera Dun. Research Colleges,
(j) PILOT SCHEME FOR RESEARCH AND DEMONSTRATION IN GROWING CASH CROPS IN NEWLY FELLED FOREST AREAS IN CONJUNCTION WITH FOREST SPECIES, RANCHI				
All posts	Coordinator, Cash Crops Scheme, Ranchi.	Coordinator, Cash Crops Scheme, Ranchi.	All	President, Forest Institute and Dhera Dun. Research Colleges,
(k) SANDAL SPIKE RESEARCH CENTRE, BANGALORE				
All posts	Coordinator, Sandal Spike Research Centre, Bangalore.	Coordinator, Sandal Spike Research Centre, Bangalore.	All	President, Forest Institute and Dhera Dun. Research Colleges,
(l) CENTRAL FOREST RANGERS COLLEGE, CHANDRAPUR				
All posts	Principal, Central Forest Rangers College, Chandrapur.	Principal, Central Forest Rangers College, Chandrapur.	All	President, Forest Institute and Dhera Dun. Research Colleges,
(m) HIGH LEVEL CONIFERS REGENERATION RESEARCH CENTRE, SIMLA				
All posts	Coordinator, High Level Conifers Regeneration Centre, Simla.	Coordinator, High Level Conifers Regeneration Centre, Simla.	All	President, Forest Institute and Dhera Dun. Research Colleges,
(n) FOREST RANGERS COLLEGE, BALAGHAT				
All posts	Principal, Forest Rangers College, Balaghat.	Principal, Forest Rangers College, Balaghat.	All	President, Forest Institute and Dhera Dun. Research Colleges,
PART II—GENERAL CENTRAL SERVICE, GROUP 'D'				
(a) FOREST RESEARCH INSTITUTE AND COLLEGES, DEHRA DUN				
All posts	Deputy Registrar, Forest Research Institute and Colleges, Dhera Dun.	Deputy Registrar, Forest Research Institute and College, Dhera Dun.	All	President, Forest Institute and Dhera Dun. Research Colleges,
		Director of Forest Education or Director of Forest Products Research or Director of Biological Research or Director of Forestry Research or Principal, Northern Forest Rangers College or Dean, Indian Forest College or Principal State Forest Service College or Senior Research Officers of equivalent status Incharge of a branch.	(i) to (iv)	President, Forest Institute and Dhera Dun. Research Colleges,
(b) SOUTHERN FOREST RANGERS COLLEGE AND RESEARCH CENTRE, COIMBATORE				
All posts	Principal and Head of Biological Research, Southern Forest Rangers College, Coimbatore.	Principal and Head of Biological Research, Southern Forest Rangers College, Coimbatore.	All	President, Forest Institute and Dhera Dun. Research Colleges,
(c) EASTERN FOREST RANGERS COLLEGE, KURSEONG				
All posts	Principal, Eastern Forest Rangers College, Kurseong.	Principal, Eastern Forest Rangers College, Kurseong.	All	President, Forest Institute and Dhera Dun. Research Colleges,
(d) FOREST RESEARCH LABORATORY, BANGALORE				
All posts	Head of Utilisation Research, Forest Research Laboratory, Bangalore.	Head of Utilisation Research, Forest Research Laboratory, Bangalore.	All	President, Forest Institute and Dhera Dun. Research Colleges,

1	2	3	4	5
(e) REGIONAL FOREST RESEARCH CENTRE, JABALPUR				
All posts	Senior Research Officer-in-Charge, Regional Forest Research Centre, Jabalpur.	Senior Research Officer-in-Charge, Regional Forest Research Centre, Jabalpur.	All	President, Forest Institute and Dhera Dun. Research Colleges,
(f) STATE FOREST SERVICE COLLEGE-CUM-RESEARCH CENTRE, BURNIHAT.				
All posts	Principal and Head of Research, State Forest Service College-cum-Research Centre, Burnihat.	Principal and Head of Research, State Forest Service College-cum-Research Centre, Burnihat.	All	President, Forest Institute and Dhera Dun. Research Colleges,
(g) EUCALYPTS RESEARCH CENTRE, HYDERABAD				
All posts	Coordinator, Eucalypts Research Centre, Hyderabad.	Coordinator, Eucalypts Research Centre, Hyderabad.	All	President, Forest Institute and Dhera Dun. Research Colleges,
(h) SEED BANK AND SEED IMPROVEMENT AND TREE BREEDING CENTRE, HYDERABAD				
All posts	Coordinator, Tree Breeding Scheme, Hyderabad.	Coordinator, Tree Breeding Scheme, Hyderabad.	All	President, Forest Institute and Dhera Dun. Research Colleges,
(i) FOREST RANGERS COLLEGE, BALAGHAT				
All posts	Principal, Forest Rangers College, Balaghat.	Principal, Forest Rangers College, Balaghat.	All	President, Forest Institute and Dhera Dun. Research Colleges,
(j) STATE FOREST SERVICE COLLEGE, COIMBATORE.				
All posts	Principal, State Forest Service College, Coimbatore.	Principal, State Forest Service College, Coimbatore.	All	President, Forest Institute and Dhera Dun. Research Colleges,
(k) PILOT SCHEME FOR RESEARCH AND DEMONSTRATION IN GROWING CASH CROPS IN NEWLY FELLED FOREST AREAS IN CONJUNCTION WITH FOREST SPECIES, RANCHI				
All posts	Coordinator, Cash Crop Scheme, Ranchi.	Coordinator, Cash Crop Scheme, Ranchi.	All	President, Forest Institute and Dhera Dun. Research Colleges,
(l) SANDAL SPIKE RESEARCH CENTRE, BANGALORE.				
All posts	Coordinator, Sandal Spike Research Centre, Bangalore.	Coordinator, Sandal Spike Research Centre, Bangalore.	All	President, Forest Institute and Dhera Dun. Research Colleges,
(m) CENTRAL FOREST RANGERS COLLEGE, CHANDRAPUR				
All posts	Principal, Central Forest Rangers College, Chandrapur.	Principal, Central Forest Rangers College, Chandrapur.	All	President, Forest Institute and Dhera Dun. Research Colleges,
(n) HIGH LEVEL CONIFERS REGENERATION RESEARCH CENTRE, SIMLA				
All posts	Coordinator, High Level Conifers Regeneration Centre, Simla.	Coordinator, High Level Conifers Regeneration Centre, Simla.	All	President, Forest Institute and Dhera Dun. Research Colleges,

[No. 7-17/79-FRY-FRE]

DEEN DAYAL, Under Secy.

सूचना और प्रसारण मंत्रालय

नई दिल्ली, 22 मार्च, 1983

प्रादेशिक अधिकारी, केन्द्रीय फिल्म सेंसर बोर्ड, कलकत्ता के पद का अतिरिक्त कार्यभार देखने के लिए नियुक्त करती है।

[फाइल सं. 802/13/82-एफ. (सी)]

कै. एस. बेकटरामन्, अवर सचिव

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 22nd March, 1983

S.O. 1916.—In exercise of the powers conferred by sub-section (2) of section 5 of the Cinematograph Act, 1952 (37 of 1952), read with rule 10 of the Cinematograph (Censor-

का. आ. 1916 :—चलचित्र (सेंसर) नियम, 1958 के नियम 10 के साथ पठित, चलचित्र अधिनियम, 1952 (1952 का 37) की धारा 5 की उपधारा (2) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, फिल्म प्रभाग, कलकत्ता के उप-मुख्य प्रोड्यूसर श्री निशीथ बनर्जी को 28-2-83 (अपराह्न) से पद के नियमित आधार पर भरे जाने तक श्रीमती गौरी चटर्जी, जिन्हें पश्चिम बंगाल सरकार को रिपोर्ट करने के अनुरोधों के साथ मूक्त कर दिया गया है, के स्थान पर अस्थायी रूप से

ship) Rules, 1958, the Central Government is pleased to appoint Shri Nishith Banerjee, Deputy Chief Producer, Films Division, Calcutta, to hold additional charge of the post of Regional Officer, Central Board of Film Censors, Calcutta, on a temporary basis from 28-2-1983 (A.N.) till the post is filled on a regular basis, vide Smt. Gauri Chatterjee relieved with instructions to report to the Government of West Bengal.

[File No. 802/13/82-F(C)]

K. S. VENKATARAMAN, Under Secy.

अम तथा पुनर्वास मन्त्रालय

(अम विभाग)

आदेश

नई दिल्ली, 3 मार्च, 1983

का. आ. 1917 :—केन्द्रीय सरकार की राय है कि इससे उपाखण्ड अनुसूची में ध्वनिचित्र विषय के बारे में सिंडीकेट बैंक, वेल्लोर शाखा के प्रबंधक से सम्बद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मचारियों के बीच विद्यमान है ;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है ;

अतः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उप-धारा (1) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री अरुण राज होंगे, जिनका मुख्यालय मद्रास में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है ।

अनुसूची

“क्या सिंडीकेट बैंक, क्षेत्रीय कार्यालय, मद्रास के प्रबंधक की श्री आर. बालारमन, पिगमी/आदर्श डिपोजिट क्लेक्टर, वेल्लोर शाखा की सेवा 30-7-81 से समाप्त करने की कार्यवाही न्यायोचित है ? यदि नहीं तो कर्मकार किस अनुतोष का हकदार हैं ?”

[सं. एल-12012/55/82-डी. 2(ए)]

MINISTRY OF LABOUR AND REHABILITATION

(Department of Labour)

ORDER

New Delhi, the 3rd March, 1983

S.O. 1917.—Whereas the Central Government is of the opinion that an industrial dispute exists between the employers in relation to the management of Syndicate Bank, Vellore Branch and their workman in respect of the matter specified in the Schedule hereto annexed ;

And whereas, the Central Government considers it desirable to refer the said dispute for adjudication ;

Now, therefore, in exercise of the powers conferred by Section 7A and clause (d) of sub section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri Arul Raj shall be the Presiding Officer, with headquarters at Madras and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

“Whether the action of the Management of Syndicate Bank, Regional Office, Madras in terminating the

services of Shri R. Balaraman, Pigmy/Adarsh Deposit Collector, Vellore Branch with effect from 30th July, 1981 is justified ? If not, to what relief is the workman concerned entitled ?”

[No. L-12012/55/82/D-II(A)]

New Delhi, the 6th April, 1983

S.O. 1918.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur (M.P.), in the industrial dispute between the employers in relation to the State Bank of India, Itarsi Branch, and their workmen, which was received by the Central Government on the 3rd April, 1983.

BEFORE JUSTICE SHRI K. K. DUBE, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(49)/1982

AWARD

Dated, the 26th March, 1983

PARTIES :

Employers in relation to the Management of State Bank of India, Bhopal and their workman, Ashok Kumar Parashar represented through the General Secretary, State Bank of India Employees' Union, Bhopal Circle, 8, Vasundara State Bank Colony, Motia Talab, Jahangirabad, Bhopal (MP).

APPEARANCES :

For Workman—Shri S. S. Pathak.

For Management—Shri G. C. Jain, Advocate.

INDUSTRY : Bank. DISTRICT : Hoshangabad (M.P.)

Consequent on the termination of services of Ashok Kumar Parashar, an employee of the State Bank of India, raised a dispute as regards the validity of his termination and after the failure of the conciliation of the dispute, the case has been referred under Sec. 10 of the Industrial Disputes Act for adjudication vide Notification No. L-12012(318)/81-D.II(A) dated 10-8-1982. The dispute referred to is in the following terms :—

“Whether the action of the management of State Bank of India, Itarsi Branch, Itarsi in denying employment to Shri Ashok Kumar Parashar with effect from 1-7-1981 is justified ? If not, to what relief is the workman concerned entitled ?”

2. Admittedly Parashar was a temporary employee of the State Bank of India working as a daily wage Messenger on Rs. 5 per day. Since the services were temporary and in the opinion of the Bank he was not a protected employee, so the Bank terminated his service.

3. The contention of the employee has been that he had been in Bank's employment for nearly nine months and such an employment could not be said to be of a casual nature. He had also worked as a Clerk in the Bank. The employee's dispute has been sponsored by the State Bank of India Employees' Union.

4. In the statement filed by the Bank it was indicated that the Bank has decided to reinstate the employee in service in the category in which he was working at the time of retrenchment. He was accordingly advised in writing to join the services. Thereafter certain further negotiations between the parties took place and eventually the Bank passed an order reinstating the employee. It was also ordered that the employee would be entitled to back wages. The terms agreed to between the parties are as under :—

1. “The workman reported for duty on the 24th January, 1983 @ Rs. 5 per day being temporary part-time employee in which he was working at the time of retrenchment.

2. The payment of back wages i.e. for the period he was not in Bank's employment @ Rs. 5 per day will be made on the declaration from the workman that he was not gainfully employed during the period after his retrenchment from Bank. In case the workman was employed, the name of the employer and wages received by him will be intimated to Bank.
3. The workman is required to work in the category of purely part-time temporary Messenger-cum-farrash-cum-waterman from the 24th January, 1983 for 29 hours per week and will draw salary at the rate of 3/4th of the basic pay payable to a member of the subordinate staff at the time of his initial appointment with proportionate increment.
4. The workman will be given in due course an opportunity to appear at an interview for permanent absorption in the Bank as part-time employee. In case he fails in the qualifying test, his services will be terminated in the manner as prescribed under the Industrial Disputes Act, 1947.
5. The dispute between the Management and the workman is now settled on the above terms and conditions."
5. The terms agreed to between the parties are reasonable and just. It would appear from the statement of claim filed by the Bank that they had considered that in the circumstances of the case the termination of services of Parashar was not justified. Since there is agreement between the parties and which I consider to be just and fair, the award is given in the same terms. The workman would resume the duties as a part-time employee on the post which he was occupying before his retrenchment. He would be entitled to back wages for the period he was not in Bank's employment @ Rs. 5 per day on a declaration from the workman that he was not gainfully employed during the period after his retrenchment from the Bank. In case the workman was employed the name of the employer and the wages received will be intimated to the Bank. The workman would work in the category of purely part-time temporary Messenger-cum-Furrash-cum-Waterman from 24th January, 1983 for 29 hours per week and will draw his salary @ Rs. 5 of the basic pay payable to a member of the subordinate staff at the time of his initial appointment with proportionate increment. The workman will be given, in due course, an opportunity to reappear at an interview for permanent absorption in the Bank as a part-time employee. In case he fails in qualifying test, his services will be terminated in the manner as prescribed in the Industrial Disputes Act, 1947. Since the dispute has been amicably settled between the parties there shall be no order as to costs. Award is given accordingly in the terms stated above.

K. K. DUBE, Presiding Officer

[No. L-12012(318)/81-D.II(A)]

S.O. 1919.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Jabalpur (M.P.), in the industrial dispute between the employers in relation to the State Bank of India, Bhopal, and their workmen, which was received by the Central Government on the 3rd April, 1983.

BEFORE JUSTICE SHRI K. K. DUBE, PRESIDING
OFFICER, CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(50)/1981

PARTIES :

Employers in relation to the management of State Bank of India Bhopal and their workman, C. D'souza, Watchman represented through the State Bank of India Employees Union, No. 9 Vasundhara, S.B.L. Housing Colony, Jehangirabad, Bhopal (M.P.)

APPEARANCES :

For Union—Shri G. K. Gandhi and Shri Rajendra Menon, Advocate.

For Bank—Shri Gulab Gupta, Advocate.

INDUSTRY : Bank

DISTRICT : Bhopal (M.P.)

AWARD

Dated, the 26th March, 1983

The Central Government vide its Notification No. L-12011/179/81-D.II(A) dated 10-12-1981 referred for adjudication a dispute between the management of the State Bank of India and their workman in respect of overtime claim of C. D'souza employed as a Watchman. The dispute referred to is in the following terms :—

'Whether the action of the management of State Bank of India, Local Head Office, Hamidia Road, Bhopal in not paying overtime to Shri C. D'souza, Watchman of State Bank of India, Local Head Office Hamidia Road, Bhopal for the period from 5-8-75 to 10-1-77 is justified? If not, to what relief is the workman concerned entitled?'

2. The workman, C. D'souza was employed by the State Bank of India, Bhopal, Local Head Office, as a Watchman. For a period from 5-8-1975 to 10-1-1977, he was allotted duty to work as a Night Watchman in the bungalow of the General Manager (Planning) at Bhopal. The service conditions of the workmen staff are governed by the Bipartite Agreement entered into by the State Bank of India with the All India State Bank of India Employees' Staff Federation. In terms of the Bipartite Agreement in force working hours of Watch and Ward Staff are fixed at 8 hours in 24 hours. Any duty performed in excess of the stipulated working hours has to be compensated by payment of overtime wages.

3. The case of the workman is that he was asked to work from 6 p.m. to 6 a.m. as a Watchman at the General Manager's residence and that he had in fact discharged the duties according to the said orders. He was entitled to overtime for 4 hours for each day of his duty. It is further contended that duties performed by him are entered into a Muster Rolls of the period which is in possession of the Bank. Muster Rolls would corroborate his claim of 4 hours overtime for each day of duty. This Muster Roll has not been produced by the Bank and therefore an adverse inference against the Bank should be drawn and the claim of the workman allowed.

4. The State Bank of India is a statutory body created under the State Bank of India Act. It functions in accordance with the provisions of the Statute and its officers derive their powers and duties from the Act and Rules made thereunder.

5. The questions that would require consideration in this case are whether there had been a valid order requiring the workman to work in excess of duty hours. There has necessarily to be an order in compliance of which the workman was required to discharge his duty in excess of the fixed normal duty working hours. In other words, there has to be an order in compliance of which the claim for overtime would be founded. The second question would be with reference to the quantum of overtime payment.

6. There seems to be little doubt that C. D'souza was detailed on duty at the residence of the General Manager (Planning). Though no such order in writing has been produced before me, it is quite clear from the evidence that D'souza had been detailed as a Night Watchman at the residence of the General Manager (Planning). In a body like the State Bank such orders to work overtime would necessarily be in writing so as to prevent confusion and arbitrary claims. It could well be appreciated that in an office if it was required that a particular workman must work overtime he could be orally instructed. But this could happen once in a while in discharge of the duties in the office. When it comes to question of detailing the service of a workman at the private residence it would be in pursuance of a policy decision and

not to meet expediency on the spur of the moment. This was all the more so, when a workman was required to work for months and years. I would accept the contention of the employer that unless a Night Watchman is required by an order in writing to work beyond 8 hours he would not be entitled to claim overtime. A competent authority was bound to give an order in writing to the workman concerned for detailing him on overtime work. The workman has led no evidence to prove that there has been any such order. The Bank led evidence of Sunil Kumar Thakker who was an officer detailing the duties of a Night Watchman. At the relevant time he was posted as an Asstt. Security Officer in the Local Head Office of the State Bank of India, Bhopal. He stated that D'souza was posted at the residence of the General Manager (Planning) but his duty hours were from 10 p.m. to 6 a.m. There was no necessity to ask him to work from 6 p.m., that is 4 hours before 10 p.m. Moreover for working beyond duty hours there would always be issued of a note slip whenever such an occasion to work beyond duty hours arose. He has further stated that whenever a Watchman worked overtime under his orders or with the permission of other officer the workman put forth his claim in writing which was then verified by him and passed on to the officer concerned for payment. As far as D'souza was concerned, he had never asked him to work for 12 hours to work overtime. He admitted that Attendance Register was maintained both at the office as well as at the residence of the executive at whose house the Watchman worked. These registers were checked by him. Such records were meticulously maintained and if there was any claim it was bound to be reflected in such records. This witness also stated that during his tenure at Bhopal he had personally visited where D'souza was working and made entries in the Guard Book. He clearly refutes all claims of overtime. The Bank has thus proved that neither any order to work overtime was made nor D'souza worked overtime. It would be seen that the workman's case is that he was not aware of his duty hours as a Night Watchman and therefore he was oblivious of the fact that he was daily doing 4 hours overtime. Subsequently, after years he came to know that he had been working for 12 hours as against 8 regular hours of duty he was required to discharge and therefore he was entitled to overtime. Unfortunately there is nothing on record to show that he has been asked to do overtime work and in absence of such an order it will be difficult to hold in favour of the workman's claim. He has also led no evidence whether in fact he had worked from 6 p.m. to 6 a.m. every day during the period of his Watchmanship. In his statement the workman has stated that the management was bound to preserve the Muster Rolls for a period of 10 years. This Instruction Book has not been produced nor the witness cross-examined on that point. Muster Rolls do not appear to be such documents which the Bank ought to preserve for such a number of years. I find that there is no substance in this argument that the Bank was required to preserve them. In such circumstances, no adverse inference could be drawn against the Bank when such records could not produced because they were not available. It would seem somewhat strange that the overtime claim of a period between 1975 to 1977 was made 4 to 6 years after it is said to have accrued. The claim is not genuine and the Bank was justified in refusing it.

7. There is no evidence in this case to hold that the workman was detailed on overtime duty which enable him to claim for overtime work. There is no evidence that the workman actually discharged duties beyond the duty hours. The workman is not entitled to any relief. I answer the reference accordingly. There shall be no order as to costs.

K. K. DUBE, Presiding Officer.

26-3-83

[No. L-12012(179)/81-D.II(A)]

N. K. VERMA, Desk Officer

New Delhi, the 6th April, 1983

S.O. 1920.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government

hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Bombay, in the industrial dispute between the employers in relation to the management of Bombay Port Trust, and their workmen, which was received by the Central Government on the 28th March, 1983.

BEFORE THE CENTRAL INDUSTRIAL TRIBUNAL NO. 1 AT BOMBAY

PRESENT :

Justice M. D. Kambli Esqr., Presiding Officer,
Reference No. CGIT 9 of 1981

PARTIES :

Employers in relation to Bombay Port Trust, Bombay

AND

Their Workman

APPEARANCES :

For the Employers—Mr. M. N. Bhatkal, Advocate.

For B.P.T. Employees' Union—Mr. S. K. Shetye,
General Secretary.

INDUSTRY : Ports & Docks. STATE : Maharashtra.

Bombay, the 28th day of February, 1983

AWARD

The Government of India, Ministry of Labour, by order No. L-31012(3)/80-D.IV(A) dated 20th April, 1981, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred to this Tribunal for adjudication an industrial dispute between the employers in relation to the management of Bombay Port Trust, Bombay, and their workman in respect of the matters specified in the schedule mentioned below :—

SCHEDULE

"Whether the proposed action of the management of Bombay Port Trust, Bombay in relation to their Chief Mechanical Engineer's Department in reverting Shri R. N. Sakat from the post of Brush Painter to that of Nowganee is justified? If not, to what relief is the concerned workman entitled?"

2. The workman, R. N. Sakat, was appointed against a permanent vacancy of brush painter from 13th October, 1979. However, a letter was subsequently issued to the workman by the management informing him that his promotion to the post of Brush Painter with effect from 13th October, 1979 was purely temporary and he would be reverted to the post of Nowganee as soon as S. A. Sable, Nowganee, Oil Pipe Line, Pir Pau, was cleared by the Departmental Promotion Committee for promotion to the permanent post of Brush Painter. The B. P. T. Employees' Union (hereinafter referred to as the "Union") in the statement of claim filed on behalf of the workman submitted that the said letter of the management dated 17th January, 1980 was contrary to the principles followed for the purpose of promotion to a permanent post. It is alleged that sometime after January, 1980, an officer of the management wrote to the Engineer, M.O.T., Manifold Pir Pau, informing him that the Departmental Promotion Committee should pass Sable and then Sakat should be reverted from the post of Brush Painter to the post of Nowganee. According to the Union, this letter will show that the officer had made up his mind to pass Sable even before the Departmental Promotion Committee met. The statement of claim of the Union stated that the matter was taken up in conciliation where it was urged on behalf of the employers that there were mistakes on the part of the employers and, therefore, Sakat should not have been promoted in preference to Sable on 13th October, 1979. The Union stated that the principles governing seniority and promotion have been laid down by the National Tribunal of Shri Das Gupta in Reference No. CGIT-5 of 1957 in 1958.

Para 31 of the award is relied upon which, inter alia, states:—

- (1) Promotion shall be according to seniority-cum-suitability.
- (2) Existing practice of holding tests and the existing lines of promotion are not disturbed by this award.
- (3) Standard of efficiency shall be just commensurate with the requirement of the job and shall not be placed too high.
- (4) Extra efficiency or extra qualification, i.e. more qualification than what is required for the promotion job shall not entitle a person to preferential treatment over the senior persons otherwise eligible for promotion. Such extra efficiency or qualification may be recognised at the proper time by higher promotions requiring such extra efficiency or qualification.
- (5) The question of filling up a vacancy by promotion arises when the vacancy occurs and qualifications and comparative seniority at this relevant point of time shall be the determining factor.
- (6) Subject to the provisions in rule (6) workmen once promoted shall not be made to revert to his original post on the ground that the man senior in service has acquired the requisite qualification for the promotion subsequent to date when the vacancy occurred. This Rule does not apply when the promotion is in respect of a temporary vacancy."

It is submitted for the Union that the vacancy of Brush Painter against which Sakat was promoted was a permanent post and, therefore, the promotion of Sakat against the said post was fully justified in terms of the principles enunciated in the award of Shri Das Gupta. However, a letter was subsequently issued to Sakat on 17th January, 1980 informing him that his promotion to the post of Brush Painter with effect from 13th October, 1979 was purely temporary and he would be reverted to the post of Nowganee as soon as Sable, Nowganee was cleared by the Departmental Promotion Committee for promotion to the permanent post of Brush Painter. The Union, therefore, immediately wrote a letter on the same day to the Chief Mechanical Engineer, complaining against the said letter. Sable is also a member of this Union. However, as he found that the Union was not supporting his claim he left it and joined the Bombay Port Trust General Workers' Union for taking up his case with the employers. Sometime in January, 1980, an officer of the management wrote to the Engineer, MOT, Pir Pau, informing him that the Departmental Promotion Committee should pass Sable and then Sakat should be reverted from the post of Brush Painter to the post of Nowganee. The matter was taken up in conciliation. The conciliation proceedings, however, failed. The Union, therefore, submitted that the proposed action of the employers in reverting Sakat from the permanent post of Brush Painter is illegal, unjust and mala fide and that it may be declared accordingly.

3. The employers, the Trustees of the Bombay Port Trust by their written statement filed on 19th March, 1982, pleaded as follows. The promotion to the post of Brush Painter is made from amongst the employees of the lower categories viz., 'Nowganee' and 'Mazdoor', subject to their passing a trade test. Those who qualify in the trade test are allowed promotion in accordance with their inter-se seniority. When employees are given a trade test for the first time, those who pass such trade tests are normally considered fit for leave vacancies. When a permanent vacancy is likely to arise they are again asked to pass trade test. Thus an employee in order to be eligible for the post of permanent vacancy has to be tested twice. If a junior employee passes the trade test earlier than a senior employee, but the senior employee passes the trade test subsequently but before a permanent vacancy arises such senior employee is appointed to permanent vacancy. The permanent vacancy of Brush Painter occurred on 1st July, 1979 in the Mazine Oil Terminal Section of the employers. Sable was cleared by the Selection Committee on a provisional basis as back as on 9th June, 1977. Thereafter, subsequently Bombay Port Trust Employees' (Recruitment, Seniority & Promotion) Regula-

tions came into force from 1977. Sable was tested again by the newly set up Departmental Promotion Committee alongwith six others on 21st February, 1979. While six others employees were tested for promotion on the same date for the first time, Sable was tested for the second time. He should, therefore, have been cleared for a permanent vacancy. The Departmental Promotion Committee inadvertently lost sight of the fact that he was being tested twice and cleared him for leave vacancy along with the other employees. Sakat on the other hand was tested for the first time along with four other employees on 29th March, 1979. Sakat and one more employee were declared having passed the test. But the Departmental Promotion Committee again through inadvertence did not mention that the two employees had been cleared only for leave vacancy. Sakat was, therefore, wrongly recommended for promotion to the post of Brush Painter and was accordingly promoted from 13th October, 1979. The Union wrote to the employers on 12th October, 1979 giving a comparative position of the two employees. Sable also made a representation dated 31st October, 1979 claiming seniority over Sakat for promotion to the post of Brush Painter. Due to the above two letters the mistakes made by the Departmental Promotion Committee came to light. The matter was then re-examined and it was found that Sakat's appointment as Brush Painter was not in order because Sable was senior to Sakat in the post of Nowganee which is the immediate lower category for promotional category of Brush Painter. Besides, Sable was trade tested twice i.e. on 9th June, 1977 and 21st February, 1979 whereas Sakat was tested only once on 20th March, 1979. Sable was thereafter cleared by the Departmental Promotion Committee for permanent vacancy on 25th January, 1980. In the meanwhile, Sakat was informed by the management that his promotion to the post of Brush Painter was purely temporary and he would be reverted as soon as Sable was cleared by the Departmental Promotion Committee. It is on these pleadings that the employers say that their action in reverting Sakat to the post of Nowganee is simply to rectify its earlier mistakes which they are entitled to do and to give Sable his legitimate dues.

4. It is then pleaded that the proposed action of the employers in reverting Sakat to the post of Nowganee is not hit by any of the provisions of the award of Shri Das Gupta. Sakat had at no time acquired qualification for a permanent vacancy since he was tested in the trade only once while the employee eligible for promotion has to be examined by the Departmental Promotion Committee twice. It was denied that the officers of the employers had vested interest in the proposed reversion of Sakat. It was stated that Sakat was not actually reverted as the Union had taken up the matter before the Regional Labour Commissioner. On these pleadings it was submitted that this Tribunal be pleased to reject the reference holding that Sakat was not entitled to any relief.

5. In the rejoinder filed on 2nd November, 1982 the Secretary of the Union reiterated his contentions in the statement of claim.

6. The B.P.T. General Workers' Union of which Sable subsequently became a member prayed for impleading it as a party to this reference on 27th April, 1982. That application was granted. However, that Union did not file a separate statement of claim. In their application dated 25th May, 1982 it was stated there was no need to file a separate statement of claim as the employers have fairly represented the case.

7. The question for consideration is whether the proposed action of the management of the Bombay Port Trust in reverting Sakat from the post of Brush Painter to that of Nowganee is justified.

8. The parties have lead documentary as well as oral evidence. The Union filed the affidavit of Sakat and one Shyamsingh Rawat in support of its claim. They are cross-examined by the management. On behalf of the employers the affidavits of A. V. Singanamalli and K. M. Shrotri have been filed. They are cross-examined on behalf of the Union.

9. There is no dispute between the parties that the principles governing the promotion have been laid down by the National Tribunal of Shri Das Gupta in reference No.

CGIT-5 of 1957 in his award dated 23rd May, 1958. Those principles have been quoted above while by summarising the contentions of the Union in its statement of claim. It is laid down there that the question of filling up a vacancy by promotion arises when the vacancy occurs and qualifications and comparative seniority at this relevant point of time shall be the determining factor. It is also laid down there that a workman once promoted shall not be made to revert to his original post on the ground that the man senior in service has acquired the requisite qualification for the promotion subsequent to date when the vacancy occurred. This does not apply to the promotion in respect of a temporary vacancy. Now, it is not in dispute that there was a permanent vacancy of a Brush Painter. Sakat was promoted to that post on 13th October, 1979. The materials show that the categories of Nowganee and Mazdoor are the lower categories. The category of Mazdoor is lower than the category of Nowganee. It is not in dispute that Sakat was senior in the category of Mazdoor. However, when the term of promotion as Nowganee came, Sakat refused that promotion earlier. Sable was therefore promoted as Nowganee Sakat came to be promoted to the post of Nowganee sometime after Sable was promoted. It is not in dispute that Sable was senior to Sakat in the category of Nowganee. The question for consideration, however, is whether at the relevant point of time i.e. on 13th October, 1979 Sable had relevant qualifications for being promoted to the post of Brush Painter. It appears that though there was no rule there was practice of testing an employee twice. Sable had been cleared by the Selection Committee on a provisional basis on 9th June, 1977. He was then not cleared for a permanent vacancy. Thereafter, subsequently Bombay Port Trust Employees (Recruitment, Seniority & Promotion) Regulations came into force from 24th March, 1977. The Departmental Promotion Committee was constituted under these rules in November, 1977. Sable was tested again by this newly set up Departmental Promotion Committee on 21st February, 1979. Of course, this was the second test. It is not in dispute that the Departmental Promotion Committee however cleared him in the second test for leave vacancy. Sakat was on the other hand tested for the first time on 20th March, 1979. He was declared having passed the test. He was not cleared only for leave vacancy. He was recommended for appointment to the post of Brush Painter and was accordingly promoted on 13th October, 1979. Employers' witness A. V. Singanamalli (EW-1) admitted in his cross-examination that recommendation of the Departmental Promotion Committee in respect of Sakat for promotion in the permanent vacancy of Brush Painter was accepted by the appointing authority prior to 13-10-79. He further admitted that Sakat was the only Nowganee on 13-10-1979 qualifying for the permanent vacancy of Brush Painter.

10. What is contended in the written statement filed on behalf of the employers is that the Departmental Promotion Committee inadvertently lost sight of the fact that Sable was being tested for the second time and cleared him for the leave vacancy only. It is also contended that Sakat was wrongly recommended for the promotion for the post of Brush Painter by the Departmental Promotion Committee. According to the employers, Sakat was being tested for the first time and should have been cleared for leave vacancy only. The employers' witness Singanamalli (EW-1) has admitted in his cross-examination that there was no rule under which an employee was to pass two tests before qualifying for promotion. However, there was a practice of holding two tests. This is admitted in the written statement. It appears that the management issued a circular on 1st February, 1982 deprecating the practice of the Department Promotion Committee recommending a candidate for temporary promotion such as "suitable only for Leave and Acting arrangement". The management, therefore, in this letter (exhibit F-3) recommended one test only. Mr. Bhatkal for the management submitted that this circular of 1982 contemplates one test. It should be read retrospectively. The Departmental Promotion Committee should have either passed or failed Sable in the test held on 21st February, 1979. On the other hand it is contended in the written statement of the management that Sakat was being tested for the first time on 20th March 1979 and should have been cleared for leave vacancy only. Obviously, these are two different stands.

11. The fact, however, remains that in the test held on 21st February, 1979 the Departmental Promotion Committee did not clear Sable for permanent vacancy. It is submitted 32GI/83-3

in para 3 of the written statement that the Departmental Promotion Committee should have cleared him for permanent vacancy as he was being tested for the second time. It is difficult to accept this submission. What is submitted is that because he was being tested for the second time the Departmental Promotion Committee should have cleared him for permanent vacancy. This submission does not appear to be correct. The Departmental Promotion Committee must have applied some test and must have found Sable fit for leave vacancy only. On the contrary, Sakat appeared before the Departmental Promotion Committee for the first time on 20th March, 1979 and he was cleared for permanent vacancy. There also it will be reasonable to presume that even though Sakat had appeared for the first time for the test he was found fit for the permanent vacancy. All that is alleged in the written statement is that the Departmental Promotion Committee made mistakes but there is nothing on record to show that the Departmental Promotion Committee arrived at wrong conclusions.

12. It appears that on 14th January, 1980 the Superintendent Engineer wrote a letter to the Engineer, MOT, Butcher Island (exhibit W-5). The text of the letter is as follows :—

"The Chief Mechanical Engineer has accorded sanction as under :—

- (1) To treat Shri Sakharam Abaji Sable, Nowganee, senior to Shri Ramchandra Natha Sakat for the post of Brush Painter under the Engineer, M.O.T. Butcher Island.
- (2) Shri Sakharam Abaji Sable to be re-tested and cleared by the Departmental Promotion Committee for promotion to the permanent post of Brush Painter and on he being cleared by the Departmental Promotion Committee to his promotion as Brush Painter, reverting Shri R. N. Sakat, the present incumbent of the post as a Nowganee.
2. Shri R. N. Sakat should be issued a memo immediately to the effect that his promotion to the post of Brush Painter is purely temporary and he will be reverted as soon as Shri Sable, who is senior to him, is cleared by the Departmental Promotion Committee.
3. Please take early action and furnish your report."

12. It is argued on behalf of the Union that this was a direction by the Superintending Engineer to the Departmental Promotion Committee to re-test and pass Sable for the permanent vacancy of Brush Painter. Accordingly, Sable was re-tested and cleared for the permanent vacancy by the Departmental Promotion Committee on 25th January, 1980. Obviously, this was in compliance with the direction given by the Superintending Engineer in his said letter (exhibit W-5). There is much substance in the contention raised on behalf of the Union that anyhow the officers of the management wanted to see that Sable was passed. It is true that Sable was cleared for the permanent vacancy on 23rd January, 1980 under the circumstances narrated above. However, the fact remains that the Departmental Promotion Committee cleared Sakat for permanent vacancy on 20th March, 1979 and he was accordingly promoted in the permanent vacancy on 30th October, 1979. According to the principles laid down in the award of Shri Das Gupta about which there is no dispute between the parties a workman once promoted shall not be made to revert to his original post on the ground that the man senior in service has acquired the requisite qualification for the promotion subsequently to the date when the vacancy occurred. Obviously, Sable acquired the requisite qualification for the promotion on 25th January, 1980, when the Departmental Promotion Committee cleared him possibly in accordance with the directive of the letter of the Superintending Engineer (exhibit W-5).

13. The proposed reversion, therefore, of Sakat from the post of Brush Painter to that of Nowganee is in my view, quite unjustified. The workman, Sakat, is entitled to continue in the post of Brush Painter.

14. My award accordingly. No order as to costs.

M. D. KAMBLI, Presiding Officer.

[No. L-31012(3)/80-D.IV(A)]

New Delhi, the 11th April, 1983

M. D. KAMBLI, Presiding Officer
[No. L-36012/4/82/D.IV(A)]

New Delhi, the 12th April, 1983

S.O. 1921.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Bombay in the industrial dispute between the employers in relation to Shri Conceicao Pereira, Owner of Launch 'Joseph Anselmo' and their workmen, which was received by the Central Government on the 28th March, 1983.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT BOMBAY

PRESENT :

Justice M. D. Kamblí Esqr.,—Presiding Officer.

Reference No. CGIT-10 of 1982

PARTIES :

Employers in relation to Shri Conceicao Pereira, Owner of Launch 'Joseph Anselmo'.

AND

Their Workman

APPEARANCES :

For the employer.—No appearance.

For the workman.—No appearance.

INDUSTRY : Ports & Docks

STATE : Goa, Daman & Diu

Bombay, the 28th February, 1983

AWARD

The Government of India, Ministry of Labour, by order No. L-36012(4)/82-D.IV(A) dated 12th November, 1981, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred to this Tribunal for adjudication an industrial dispute between the employers in relation to the management of Shri Conceicao Pereira, Owner of Launch 'Joseph Anselmo' and their workman in respect of the matters specified in the schedule mentioned below :—

THE SCHEDULE

"Whether the action of Shri Conceicao Pereira, Owner of Launch 'Joseph Anselmo' in terminating the services of Shri Devidas S. Serang, with effect from 26-1-1982 is justified? If not, to what relief is the concerned workman entitled?"

2. After the reference was received by this Tribunal notice were sent to the parties by registered post, fixing the hearing of the reference on 21-12-1982. Notice was sent to Mr. S. V. Rao, C/o Goa Labour Union at the address mentioned in the order of reference. Notice was also sent to the employer. The notice sent to Mr. S. V. Rao, C/o Goa Labour Union was received by him. The notice sent to the employer was returned as unclaimed.

3. None remained present for the parties on 21-12-1982. The notices were, therefore, directed to be issued to the parties for remaining present at the hearing fixed on 28-1-1983. These notices were sent under certificate of posting. But, none of the parties appeared on this date also. The notices were against sent to the parties to be present at the hearing fixed on 19-2-1983. None of the parties was present on this date also. There was, therefore, no alternative but to close the reference for want of prosecution.

4. The reference is disposed of for want of prosecution. No order as to costs.

S.O. 1922.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Bombay in the industrial dispute between the employers in relation to the Messrs Damodar Mangalji and Company Private Limited and their workmen, which was received by the Central Government on 28th March, 1983.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT BOMBAY

Present

Justice M.D. Kamblí Esqr.,

Presiding Officer

REFERENCE NO. CGIT-31 OF 1967

Parties :— Employers in relation to Messrs Damodar Mangalji and Company Private Limited, Vasco Da Gama.

and

Their Workmen

Appearances :—

For the employers

Mr. K.D. Sethna, Advocate

For Goa Dock Labour Union,

Mr. K.P.V. Menon, Advocate

Vasco Da Gama

STATE: Goa, Daman & Diu **INDUSTRY :** Ports & Docks

Bombay, dated the 26th day of February, 1983

AWARD

The Government of India, Ministry of Labour, by order No. 28/80/67-LR/II dated 30th October, 1967, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), have referred to this Tribunal for adjudication an industrial dispute between the employers in relation to Messrs Damodar Mangalji and Company Private Limited, Vasco Da Gama and their workmen in respect of the matters specified in the schedule mentioned below :—

SCHEDULE

"Whether the demand of the office staff of Stevedoring-cum-Shipping Section of Messrs Damodar Mangalji and Company Private Limited, Vasco-da-Gama, for payment of interim relief and dearness allowances as recommended by the Central Wage Board for Port and Dock Workers is justified? If so, to what relief are they entitled and from what date?"

2. The employers, M/s. Damodar Mangalji & Co. Pvt. Ltd., are shipping agents and also carry on the business of stevedoring and have got a shipping-cum-stevedoring section. The workmen concerned in this reference are the members of the staff of the stevedoring-cum-shipping section. They are the members of the Goa Dock Labour Union (hereinafter referred to as the "Union") which by its statement of claim contended that the Central Government by their Resolution dated 27-4-1965 have accepted the recommendations of the Central Wage Board for Port and Dock Workers and have requested the concerned managements to implement the recommendations. The employees of the company working in the shipping department are dock workers covered by the recommendations of the Central Wage Board and are entitled to get the benefits recommended. Some of the staff members actually work in the harbour as for men and tally clerks and some are required to work in the office

keeping accounts of export and import done by the shipping and stevedoring department and all the members of the staff of this section are entitled to get the benefits of the recommendation of the Central Wage Board.

3. After the written statement was filed by the employers hearing of the reference was adjourned from time to time for one reason or the other. One Mr. A.T. Joshi was representing the management. Mr. Mohan Nair, the General Secretary of the Union, has raised an objection against the representation of the management by Mr. Joshi contending that he was a legal practitioner. However, when the matter came up for hearing ultimately before the learned Presiding Officer (Shri A.T. Zambre) on 28-1-1970 Mr. Joshi was absent. Some person on behalf of the company applied for adjournment. That application was rejected and the matter was heard ex parte. The learned Presiding Officer found that the demand of all the employees working in the stevedoring-cum-shipping section of the employers-company for payment of interim relief and dearness allowance as recommended by the Central Wage Board for Port & Dock Workers are justified and they are entitled to get the benefits. It was held that the employees were entitled to get all the benefits from the date of the order of reference i.e. 31-10-1967. The reference was answered accordingly.

4. There was a Special Civil Application (Writ Petition No. 26 of 1970) against the said decision. It appears that the counsel for the parties agreed that this Writ Petition should be allowed with some costs. Accordingly, the award was set aside and the case was sent back to the Tribunal for fresh disposal and the order setting the petitioner ex parte was also set aside. The Tribunal was directed to dispose of first the objection whether Mr. Joshi could represent the petitioner. After disposing of the said objection, one way or the other the Tribunal was asked to proceed to dispose of the case on merits. This order was made by the Additional Judicial Commissioner, Goa, Daman & Diu on 21-4-1979.

5. The employers have now informed this Tribunal that Mr. A.T. Joshi was no longer their Labour Advisor nor he will represent them in the present reference.

6. A document purporting to be a settlement dated 30-9-1981 was filed before this Tribunal on 17-11-1982. In this reference the Union is the party. The Union did not sign this settlement. The workmen were not parties individually. The learned Advocates who filed the said settlement before me were, therefore, directed to send a copy of the purported settlement to the Union. Mr. Nair, the General Secretary of the said Union, asked for time to file his say on the document purporting to be the settlement between the company and the workmen concerned. However, no say was filed. As no settlement was reached between the employers and the Union, which was a party in this reference the matter was kept for adducing evidence by the parties on 31-1-1983. As no evidence was adduced on that day by the Union the matter was adjourned to 22-2-1983. On this day a pursis was filed by the company stating that the matter in dispute in this reference has been directly settled between the company and the workmen. Nothing, therefore, survives in the said industrial dispute and this Tribunal be pleased, therefore, to dispose of the reference accordingly. On the same day the Union representing the workmen concerned in this reference stated that they did not wish to press the reference and prayed that the reference be disposed of as not pressed. This pursi was filed by the Vice President on behalf of the said Union.

7. In the circumstances, I have no any other alternative but to dispose of the reference as not pressed.

8. The reference disposed of as not pressed. No order as to costs.

M.D. KAMBLI, Presiding Officer
[No. L-28/80/67/LR-III/D. IV(A)]

S.O. 1923.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta in the industrial dispute between the employers in relation to the management of Calcutta Port Trust, Calcutta and their workmen, which was received by the Central Government on the 28th March, 1983.

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT CALCUTTA.**

REFERENCE NO. 12 OF 1981

PARTIES : Employers in relation to the management of Calcutta Port Trust, Calcutta.

And
Their Workmen.

PRESENT :

Mr. Justice M. P. Singh Presiding Officer.

APPEARANCES :

On behalf of Employers Mr. D.K. Mukherjee,
Industrial Relations Officer.

On behalf of Workmen Mr. Paresh Boso, Assistant Secretary of the Union.

STATE : West Bengal

INDUSTRY : Port

AWARD

The following dispute was sent to this Tribunal for adjudication by the Government of India, Ministry of Labour by their Order No. L-32012/25/80-D.IV(A) dated 27 February 1981—

"Whether the action of the management in relation to Calcutta Port Trust, Calcutta in denying promotion to Shri Phanindra Mohan Chakraborty, Seacunny, as Tindal with effect from 1st May 1978 and as Serang from 5th November, 1978 is justified ? If not, to what relief is the concerned workman entitled ?"

2. When the case was taken up to-day the concerned workman Phanindra Mohan Chakraborty appeared and submitted that he has already settled the dispute with his employer and he has no further dispute and as such a no dispute award may be passed in the matter. Sri D.K. Mukherjee, appearing for the Port Trust also submitted that the dispute has been settled. Sri Paresh Bose, Asstt. Secretary of the Union submitted that his Union will not stand in the way of the settlement. In these circumstances stated above, I pass a 'No dispute' Award in the matter.

M. P. SINGH, Presiding Officer.

Dated, Calcutta,
The 23rd March, 1983.

[No. L-32012/25/80/D-IV(A)]

A. K. SAHA MANDAL, Desk Officer

आदेश

नई दिल्ली, 7 अप्रैल, 1983

का. आ. 1924.—केन्द्रीय सरकार की राय है कि इससे उपा-
बद्ध अनुसूची में विनिर्दिष्ट विषय के बारे में पश्चिमी रेल
प्रशासन के प्रबंधन से सम्बद्ध एक औद्योगिक विवाद नियोजकों
और उनके कर्मचारों के बीच विद्यमान है ;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है ;

अतः, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उप-धारा (1) के खंड (घ) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री रामराज लाल गुप्ता होंगे, जिनका मुख्यालय जयपुर में होगा और उक्त विवाद को उक्त अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है ।

अनुसूची

“क्या पश्चिमी रेल लोको एंड कौरेज वर्कशॉप अजमेर के प्रबंधक द्वारा श्री चमनलाल गुप्ता को 1974 से अभ्यापन भेजता बन्द कर दिए जाने की कार्रवाई जबकि यह भला अन्य प्रशिक्षकों को मिल रहा था, न्यायोचित है ? यदि नहीं तो कर्मकार किस अनुतोष का हकदार है ?”

“क्या रेल प्रशासन के अजमेर वर्कशॉप (कौरेज एंड लोको) की श्री चमनलाल, मिस्ट्री को उसके वेतन के 10 प्रतिशत की दर से मानदेय का सदाय न करने की कार्रवाई उसके कनिष्ठों को समान सदाय किए जाने को ध्यान में रखते हुए न्यायोचित है ? यदि नहीं तो कर्मकार किस अनुतोष का हकदार है ।”

[सं. एन-41011(2)/82-डी. 2 बी.]

हरी सिंह, उक्त अधिकारी

ORDER

New Delhi, the 7th April, 1983

S.O. 1924.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Western Railway Administration and their workman in respect of the matter specified in the schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by Section 7A, and clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri Ram Raj Lal Gupta, shall be the Presiding Officer, with headquarters at Jaipur, and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

“Whether the action of the management of Western Railway Loco & Carriage Workshop, Ajmer in continuing teaching allowance to Shri Chaman Lal from 1974, when other Instructors were getting the same, is justified? If not to what relief the workman is entitled?”

“Whether the action of the Railway Administration, in relation to their workshop (Carriage & Loco) at Ajmer in denying the honorarium @ 10 per cent of pay to Shri Chimanlal, Mistry, in view of similar payments to his juniors is justified? If not to what relief the workman is entitled?”

[No. L-410(2)/82-D.II(B)]

HARI SINGH, Desk Officer

नई दिल्ली, 8 अप्रैल, 1983

का. आ. 1925.—उत्प्रवास अधिनियम, 1922 की धारा 3 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार

विदेश मंत्रालय के श्री बी. जी. कन्सर, पी. आर. ओ. को 26 जनवरी, 1983 के पूर्वाह्न से उत्प्रवासी संरक्षी, बम्बई के रूप में नियुक्त करती है ।

[सं. टी.-11017/1/83-ई. एम. आई. जी-2]

रामेन्द्र कुमार दास, अवसर सचिव

New Delhi, the 8th April, 1983

S.O. 1925.—In exercise of the powers conferred by Section 3 of the Emigration Act, 1922 (7 of 1922), the Central Government hereby appoints Shri B. G. Cansar Public Relations Officers, Ministry of External Affairs to be the Protector of Emigrants, Bombay w.e.f. 27-1-83 (FN), vice Shri T. R. Srinivasan who is on leave.

[No. T-11017/1/83-EMIG-II]

R. K. DAS, Under Secy.

नई दिल्ली, 8 अप्रैल, 1983

का. आ. 1926.—श्रीराम फायबरस लिमिटेड, गरीमस रोड, मद्रास-6 (त. ना./9927) (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उप-धारा (2-क) के अधीन छूट दिए जाने के लिए आवेदन किया है ;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी किसी पृथक अभिदाय या प्रीमियम का संदाय किए बिना ही, भारतीय जीवन बीमा निगम की सामूहिक बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदे उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारी निक्षेप सहबद्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें अनुभोग्य है ।

अतः, केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए और इसमें उपबद्ध अनुसूची में विनिर्दिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन को तीन वर्ष की अवधि के लिए उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है ।

अनुसूची

1. उक्त स्थापन के सम्बन्ध में नियोजक प्रादेशिक भविष्य निधि आयुक्त तमिलनाडु को ऐसी विवरणियां भेजेगा और ऐसे लेखा रखेगा तथा निरीक्षण के लिए ऐसी सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार, समय-समय पर निर्दिष्ट करे ।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति के 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (3क) के खण्ड (क) के अधीन समय-समय पर निर्दिष्ट करे ।

3. सामूहिक बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का संदाय, लेखाओं का अन्तरण, निरीक्षण प्रभारों का संदाय आदि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जायेगा ।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित सामूहिक बीमा स्कीम के नियमों की एक प्रति, और जब कभी

उन्में संशोधन किया जाए, तब उस संशोधन की प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य बातों का अंग्रेज, स्थान के मूचना-पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले ही सदस्य है, उसके स्थापन में नियोजित किया जाता है तो, नियोजक सामूहिक बीमा स्कीम के सदस्य के रूप में उक्त नाम तुरन्त दर्ज करेगा और उसकी प्राप्त आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को सौंप करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाए जाते हैं तो, नियोजक सामूहिक बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समीक्षित रूप से वृद्धि की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए सामूहिक बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अंगूकूल हों, जो उक्त स्कीम के अधीन वर्तमान हैं।

7. सामूहिक बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संदेय-रकम उस रकम से कम है, जो कर्मचारी को उसदशा में संदेय होती, जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नाम निर्देशिनी को प्रतिकर के रूप में दोनों रकमों के अन्तर के बराबर रकम का संदाय करेगा।

8. सामूहिक बीमा स्कीम के उपबन्धों में कोई भी संशोधन, प्रावेशिक भविष्य निधि आयुक्त, तमिलनाडु के पूर्व अनमोदन के बिना नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की सम्भावना हो वहां, प्रावेशिक भविष्य निधि आयुक्त, अपना अनमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का व्यक्ति-युक्त अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम की उस सामूहिक बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो यह छूट रद्द की जा सकती है।

10. यदि किसी कारणवश, नियोजक उक्त नियत तारीख के भीतर, जो भारतीय जीवन बीमा निगम नियम करे, प्रीमियम का संदाय करने में असफल रहता है, और पालिसी को व्यपगत हो जाने दिया जाता है, तो छूट रद्द की जा सकती है।

11. नियोजक द्वारा प्रीमियम के संदाय में किए गए किसी व्यक्तिगत दशा में उन मृत सदस्यों के नाम-निर्देशितियों या विधिक वारिसों को जो यदि यह छूट न दी गई होती तो उक्त स्कीम के अन्तर्गत होते, बीमा फायदों के संदाय का उत्तर-दायित्व नियोजक पर होगा।

12. उक्त स्थापन के सम्बन्ध में नियोजक, इस स्कीम के अधीन जाने वाले किसी सदस्य की मृत्यु होने पर उसकी हकदार नाम-निर्देशितियों/विधिक वारिसों की बीमाकृत रकम का संदाय सम्पन्न करने में और प्रत्येक दशा में भारतीय जीवन बीमा

निगम से बीमाकृत रकम प्राप्त होने के सात दिन के भीतर गृहनिश्चित करेगा।

[संख्या एस-35014/117/83-पी. एफ.-2]

New Delhi, the 8th April, 1983

S.O 1926. —Whereas Messrs Shri Ram Fibres Ltd Greams Road, Madras-6 (TN/9927). (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees Deposit-Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts the said establishment from the operation of all the provisions of the said Scheme for a period of three years.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Tamil Nadu, maintain such accounts and provide such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Whereas an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme shall be made without the prior approval of the Regional Provident Fund Commissioner, Tamil Nadu and

where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the said establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the said establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium etc. within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any made by the employer in payment of premium the responsibility for payment of assurance benefits to the nominees or the legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, shall be that of the employer.

12. Upon the death of the member covered under the Scheme the employer in relation to the said establishment shall ensure prompt payment of the sum assured to the nominee/legal heirs entitled for it and in any case within 7 days of the receipt of the sum assured from the Life Insurance Corporation of India.

[No. S-35014(117)/83-PF.II]

नई दिल्ली, 11 अप्रैल, 1983

का. आ. 1927.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स बेंजो-केम इन्डस्ट्रिज (प्राइवेट) लिमिटेड, 34-ए, सी.एन. राय रोड, कलकत्ता-700039 तथा इसका सिटी आफिस, 7-ए बेंटीन्क स्ट्रीट, कलकत्ता-700001 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं. एस-35017/11/83-पी.एफ. 2]

New Delhi, the 11th April, 1983

S.O. 1927.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Benzo-Chem Industries Private Limited, 34-A, C. N. Roy Road, Calcutta-700039 including its city office at 7-A, Bentinck Street, Calcutta-700001, have agreed that the provisions of the employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35017(11)/83-PF.II]

का. आ. 1928.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स रामनगर कोल्ड स्टोरेज प्राइवेट लिमिटेड, रामनगर, कालना रोड, जिला बर्वाण तथा इसका पंजीकृत और मुख्य कार्यालय, 1, चित्तरंजन एवेन्यू, कलकत्ता-700072 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो

गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं. एस-35017/6/83-पी.एफ. 2]

S.O. 1928.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Ramnagar Cold Storage Private Limited, Ramnagar, Kalna Road, Distt. Burdwan including its Registered and Head office at 1, Chittaranjan Avenue, Calcutta-700072, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35017(6)/83-PF.II]

का. आ. 1929.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स आइकाल पब्लिशर्स प्राइवेट लिमिटेड, 96, राजाराम मोहन सारानी, कलकत्ता-9 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं. एस-35017/5/83-पी.एफ. 2]

S.O. 1929.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Aikaal Publishers Private Limited, 96, Raja Ram Mohan Sarani, Calcutta-700009, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35017(5)/83-P.F.II]

का. आ. 1930.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स कम्पो कम्पोजिंग एण्ड प्रिंटिंग (कलकत्ता) प्राइवेट लिमिटेड, 96, राजा राम मोहन सारानी, कलकत्ता-700009 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं. एस-35017/4/83-पी.एफ. 2]

S.O. 1930.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Compu-Composing and Printing (Calcutta) Private Limited, 96, Raja Ram Mohan Sarani, Calcutta-700009, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(4)/83-PF II]

का. आ. 1931.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स के. पी. बसु पब्लिशिंग कम्पनी, 42, बिद्वान सरानी, कलकत्ता-700006 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं. एस- 35017/3/83-पी.एफ. 2]

S.O. 1931.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs K. P. Basu Publishing Company, 42, Bidhan Sarani, Calcutta-700006, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous provisions Act 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(3)/83-PF. III]

का. आ. 1932.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स भूवाल्का ट्रेडिंग एण्ड टी कम्पनी प्राइवेट लिमिटेड, 135, बिप्लवी रास बिहारी बोस रोड, कलकत्ता-700001, और उनके रजिस्टर्ड कार्यालय, 9/1, मिडल्टन रोड, कलकत्ता-16, सहित नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं. एस- 35017/13/83-पी.एफ.]

S.O. 1932.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Bhuwarka Trading and Tea Company Private Limited, 135, Biplabi Rash Bihari Bose Road, Calcutta-700001 including its Regd. Office at 9/1, Middleton Row, Calcutta-16, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central

Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(13)/83-PF. II]

का. आ. 1933.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मिटको कंसल्टेंट्स प्राइवेट लिमिटेड, चटर्जी इन्टरनेशनल सेंटर 19 वीं मंजिल, 33-ए, जवाहर लाल नेहरू रोड, कलकत्ता-700071 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं. एस- 35017/7/83-पी.एफ. 2]

S.O. 1933.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mitco Consultants Private Limited, Chatterjee International Centre, 19th Floor, 33-A, Jawahar Lal Nehru Road, Calcutta-700071, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(7)/83-PF. II]

का. आ. 1934.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एडी मुद्रानी, 71, कैलाश बसु स्ट्रीट, कलकत्ता-700006 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं. एस-35017/12/83-पी.एफ. 2]

S.O. 1934.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Adi Mudrani, 71, Kailash Bose Street, Calcutta-700006, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(12)/83-PF. II]

का. आ. 1935.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स डिपेन्डेन्स इण्डस्ट्रीज प्राइवेट लिमिटेड, 2, महात्मा गांधी रोड, जोका, पी.एस. ठाकुर पুকुर, 24, पारगनासा तथा इसका कार्यालय, 629, डाईमंड हार्बर रोड, कलकत्ता-34 नामक स्थापन

से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उप-बंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 को उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं. एस-35017/26/83-पी.एफ. 2]

S.O. 1935.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Dependable Industries Private Limited, 2, Mahatma Gandhi Road, Joka, P. S. Thakur Pukur, 24, Paraganas including its office at 629, Diamond Harbour Road, Calcutta-34, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(26)/83-PF. II]

का.आ. 1936 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स यूनाइटेड इंजिनियरिंग कन्स्ट्रक्टर्स, 6/1, नया रोड, अलीपोर, कनकत्ता-700027 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं. एस-35017/27/83-पी.एफ. 2]

S.O. 1936.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs United Engineering Constructors, 6/1, New Road, Alipore, Calcutta-700027, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(27)/83-PF. II]

का.आ. 1937 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स सी-1711, बन्दावामी को-ओपरेटिव मिल्क सप्लाय सोसाइटी लिमिटेड, बन्दावामी, नार्थ अरकोट डिस्ट्रिक्ट, मंगल नाडू नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं. एस-35019/29/83-पी. एफ. 2]

S.O. 1937.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs C-1711, Wanda-wasi Co-operative Milk Supply Society Limited, Wanda-wasi, North Arcot Distt. Tamil Nadu have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(29)/83-PF. III]

का.आ. 1938 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स बी. एन. कम्बाइन, 274, टी. एच. रोड, मद्रास-21 नामक स्थापन से संबद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 10) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं. एस-35019/30/83-पी. एफ. 2]

S.O. 1938.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs B. S. Combine, 274, T. H. Road, Madras-21, have agreed that the Provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment

[No. S-35019(30)/83-PF. III]

का.आ. 1939 :—केन्द्रीय सरकार को यह प्रतीत होता है कि कि मैसर्स कोरी इंडस्ट्रीज, 12/13, अंगप्पा नैक्केन स्ट्रीट, मद्रास-1 नामक स्थापन से संबद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं. एस-35019/31/83-पी. एफ. 2]

S.O. 1939.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Cori Industries, 12/13, Angappa Naicken Street, Madras-1, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(31)/83-PF. II]

का.आ. 1940 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स भवानी इण्डस्ट्रिज, को-10, शिवकाशी को-ओपरेटिव इण्डस्ट्रीयल एस्टेट, शिवकाशी-626123, तमिल नाडू नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं. एस-35019/32/83-पी. एफ. 2]

S.O. 1940.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Bhavani Industries, K-10, Sivakasi Co-operative Industrial Estate, Sivakasi-626123, Tamil Nadu, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35019(32)/83-PF. II]

का.आ. 1941 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स आई. एल. एम्. कंपनी, 129, साऊथ टंगरा रोड, कलकत्ता-700046 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं. एस-35017/2/83-पी. एफ. 2]

S.O. 1941.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs I. L. M. Company, 129, South Tangra Road, Calcutta-46, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(2)/83-PF. II]

का.आ. 1942 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स कान्क्रेट प्रोडक्ट्स मैन्युफैक्चरिंग कम्पनी, 2, गणेश चन्दा एवेन्यू, 8वीं मंजिल, कमरा नं. 7-ए, कलकत्ता-700013 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं. एस-35017/9/83-पी. एफ. 2]

S.O. 1942.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Concrete Products Manufacturing Company, 2 Ganesb Chandra Avenue, 8th Floor, Room No. 7-A, Calcutta-700013, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(9)/83-PF. II]

का.आ. 1943 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स पुर्ना इन्वेस्टमेंट्स लिमिटेड, चटर्जी इण्टरनेशनल सेंटर, 19 वीं मंजिल, 33-ए, जवाहर लाल नेहरू रोड, कलकत्ता-700071 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं. एस.-35017/8/83-पी. एफ. 2]

S.O. 1943.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Purna Investments Limited Chatterjee International Centre, 19th Floor, 33-A, Jawaharlal Nehru Road, Calcutta-700071, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(8)/83-PF. II]

का.आ. 1944 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स कलकत्ता टायर माउल्ट कम्पनी, 161/1, नसरारगारा रोड, धसूरी, हावड़ा (समीप धसूरी पोस्ट ऑफिस, मलका फोर्टी ऐरिया) नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं. एस-35017/14/83-पी. एफ. 2]

S.O. 1944.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Calcutta Tyre Mould Company, 161/1, Naskarpara Road, Ghusuri, Howrah (Near Ghusuri Post Office at Sukla Factory Area), have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(14)/83-PF. II]

का.आ. 1945 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स हाहनेमान फारमसी, 126 सी, एम. पी. मुखर्जी रोड, कलकत्ता-700026 तथा इसका पंजीकृत कार्यालय 27, श्री मोहन लैन, कलकत्ता-700026 तथा इसकी शाखा जिमका नाम प्योर ड्रग्स और केमिकल्स लेबोर्ट्री प्रा. लि. नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं. एस-35017/10/83-पी. एफ. 2]

S.O. 1945.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as messrs Hahnemann Pharmacy, 126-C, Shyama Prasad Mukherjee Road, Calcutta-700026 including its Registered Office at 27, Sree Mohan Lane, Calcutta-700028 and the branch namely Pure Drugs and Chemical Laboratory Private Limited have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No S-35017(10)/83-PF.II]

का.आ. 1946 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स पोलिकान इंजीनियर्स, 1/295-ए, गारियाहार रोड, जोधपुर पार्क, कलकत्ता-700068 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं. एस-35017/16/83-पी. एफ. 2]

S.O. 1946.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Polycon Engineers, 1/295-A, Gariahat Road, Jodhpur Park, Calcutta-700068, have agreed that the provisions of the Employees'

Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(15)/83-PF.II]

का.आ. 1947 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स वेबल इलेक्ट्रॉनिक काम्युनिकेशन सीस्टम्स लिमिटेड, पी-1, तारातोला रोड, कलकत्ता-700088 तथा इसका पंजीकृत कार्यालय 225-ई, आचार्य जगदीश चन्द्र बोस रोड, कलकत्ता-790020 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं. एस-35017/17/83-पी. एफ. 2]

S.O. 1947.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Webel Electronic Communication Systems Limited, P-1 Taratola Road, Calcutta-700088 including its Regd. Office at 225-E-Acharya Jagadish Chandra Bose Road Calcutta-20, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(17)/83-PF.II]

का.आ. 1948 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स दी इंडियन इन्स्टीट्यूट आफ वील्डिंग पास्ट बोक्स संख्या 16701. 48/1, डायमंड हारबर रोड, कलकत्ता-700027 अपनी शाखाओं जो (1) एडवानी आयरलीकन लि., एडो हाऊस, 6 के दुभाष मार्ग, बम्बई-23 (2) मद्रास फटीलाइजर्स लि., मद्रास-68 (3) केलाशपुरम टाउनशिप, तिरुवुरापल्ली-14 (4) इजीनियर्स इंडिया लि., 4 एल्वियामेंट स्ट्रीट, नई दिल्ली-1 (5) 8 वां फ़ास, आर.एम.वी. एक्सटेंशन, जेस आर्चाड्स, बंगलोर-6, (6) भारत हेवी जेट एण्ड व्हेल्स लि., विशाखापत्तनम-12 और (7) कोचीन शिपयार्ड लि., कोचीन-15 में स्थित हैं, के सहित नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबन्ध उक्त स्थापन को लागू करती है ।

[सं एस-35017/16/83-पी. एफ. 2]

S.O. 1948.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. The Indian

Institute of Welding, Post Box No. 16701, 48/1, Diamond Harbour Road, Calcutta-700027 including its branches at (1) Advani Overlign Limited Ador House, 6-K Dubhas Marg, Bombay-23, (2) Madras Fertilizers Limited, Madras-68, (3) Kailasapuram Township, Tiruchirapalli-14 (4) Engineers India Limited, 4, Parliament Street, New Delhi-1, (5) 8th Cross, R.M.V. Extension, Place Orchards, Bangalore-6, (6) Bharat Heavy Plate & Vessels Limited, Visakhapatnam-12 and (7) Cochin Shipyard Limited, Cochin-15, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(16)|83-PF.II]

क्रा.आ. 1949 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स बंगाल आईरन एण्ड स्टील वर्क्स, 121, राजा दिनेन्द्र स्ट्रीट, कलकत्ता-700004 और इसका सेल्स ऑफिस, डागा हाऊस 8, बिप्लाबी रास बिहारी बसु रोड, कलकत्ता-700001 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[मं. एम-35017/18/83-पी.एफ. 2]

S.O. 1949.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Bengal Iron & Steel Work, 121, Raja Dinendra Street, Calcutta-700004 including its Sales Office at Daga House, 8, Biplabi Rash Behari Basu Road, Calcutta-1, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(18)|83-PF.II]

क्रा.आ. 1950 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स जे. के. गैस कम्पनी, 65, जो अरविन्द सराणी, कलकत्ता 700005 तथा इसका गोदाम, 1, उल्ता डांगा रोड, कलकत्ता-700004 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ,

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[मं. एम-35017/20/83-पी.एफ. 2]

S.O. 1950.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Jay Kay Gas Company, 65, Arvind Sarani, Calcutta-700005, including its Godown at 1, Ultadanga Road, Calcutta-700004, have agreed

that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952, (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(20)|83-PF.II]

क्रा.आ. 1951 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स वेबल इलेक्ट्रो सेरागिक्स लिमिटेड, इन्ड्यू.वी.आई.डी.सी.ग्रोथ सेंटर, कुलीया कान्चरापारा रोड, पोस्ट ऑफिस नेताजी सुभाष सानाटोरियम, कल्याणी जिला नाडीया तथा इसका पंजीकृत कार्यालय, 225-ई, आचार्य जगदीश चन्द्र बोस रोड, (5वीं मंजिल), कलकत्ता-20 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[मं. एस-35017/21/83-पी.एफ. 2]

S.O. 1951.—Whereas it appears to the Central Government that the employer and the Majority of the employees in relation to the establishment known as Messrs Webel Electro Ceramics Limited, WBIDC's Growth Centre, Kulia Kancharapara Road, Post Office Netaji Subhas Sanatorium, Kalyani, District Nadia including its Registered office at 225-E, Acharya Jagdish Chandra Bose Road (5th Floor) Calcutta-20 have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(21)|83-PF.II]

क्रा.आ. 1952 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स रोलफ्री कोरस (प्राइवेट) लिमिटेड, 13-ए, सरबाखान रोड, कलकत्ता-37 तथा इसका यूनित नं. 2, 53, बिजय कुमार मुखर्जी रोड सान्कीया, हुजड़ा, और मुख्य कार्यालय, 36, ब्रिन्दावन बासक स्ट्रीट, कलकत्ता-5 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[मं. एम-35017/22/83-पी.एफ. 2]

S.O. 1952.—Whereas it appears to the Central Government that the employer and the Majority of the employees in relation to the establishments known as Messrs Rolafri Cores Private limited, 13-A Sarbakhnan Road, Calcutta-37 including its unit No. 2 at 53, Bijoy Kumar Mukherjee Road, Salkia, Howrah and the Head Office at 36, Brindaban Basak Street, Calcutta-5, have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(22)|83-PF.II]

क्रा.आ. 1953 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मेसर्स आनन्दम चित्रा मन्दिर, डाकखाना मेमारी, जिला बुरुडवान, पश्चिमी बंगाल नामक स्थापन से सम्बद्ध नियोजक और कर्म-कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्म-कारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं. एस-35017/23/83-पी. एफ. 2]

S.O. 1953.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Anandam Chitra Mandir, Post Office Memari, District Burdwan, West Bengal, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017(23)|83-P.F.II]

क्रा.आ. 1954 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मेसर्स दया मां कोल्ड स्टोरेज (प्राइवेट) लिमिटेड, गाँव साकरीपुर, डाकखाना बहानपुर, जिला बुरुडवान तथा इनका मुख्य कार्यालय, 44-बी, काली कृष्णा टैगोर स्ट्रीट, कलकत्ता-7 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मकारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं. एस-35017/24/83-पी. एफ. 2]

S.O. 1954.—Whereas it appears to the Central Government that the employer and the Majority of the employees in relation to the establishment known as Messrs Jay Ma Kali Cold Storage Private Limited, Village Taktipur, Post Office Bahabpur, District Burdwan, including Head Office at 44-B, Kali Krishna Tagore Street Calcutta 7, have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said act to the said establishment.

[No. S-35017(24)/83-PF. II]

क्रा.आ. 1955 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मेसर्स देवराज कन्सल्टेंट्स, 11/1, जादवपुर सेन्ट्रल रोड, कलकत्ता-82 तथा इसका शाख ऑफिस, ई/20, ईस्ट आफ किलाश, नई दिल्ली-88, नामक स्थापन से सम्बद्ध नियोजक और

कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्म-कारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः केन्द्रीय सरकार, उक्त अधिनियम की धारा 1 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है ।

[सं. एस-35017/25/83-पी. एफ. 2]

ए. के. भट्टारай, अवसर सचिव

S.O. 1955.—Whereas it appears to the Central Government that the employer and the Majority of the employees in relation to the establishment known as Messrs Debraj Consultants, 11/1, Jadavpur Central Road, Calcutta-32 including its branch office at E-20, East of Kailash, New Delhi-110065; have agreed that the provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section I of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

[No. S-35017/25/83-PF. II]

A. K. BHATTARAI, Under Secy.

नई दिल्ली, 11 अप्रैल, 1983

क्रा.आ. 1956 :—केन्द्रीय सरकार को यह प्रतीत होता है कि मारबल खानों और कैल्साइट खानों के नियोजन की बाबत मजदूरी की दरें, न्यूनतम मजदूरी अधिनियम, 1948 (1948 का 11) के अधीन नियत की जानी चाहिए ।

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 27 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त नियोजन को उक्त अधिनियम की अनुसूची के भाग 1 में जोड़ने के अपने आशय की सूचना देती है ।

इस अधिसूचना के राजपत्र में प्रकाशन की तारीख से तीन मास की अवधि की समाप्ति पर या उससे पूर्व उक्त परिवर्धन की बाबत किसी व्यक्ति से जो भी सुझाव या आक्षेप प्राप्त होंगे, केन्द्रीय सरकार उन पर विचार करेगी ।

[सं. एस-32011/8/78-डब्ल्यू. सी. (एम. डब्ल्यू.)]

New Delhi, the 11th April, 1983

S.O. 1956.—Whereas the Central Government is of the opinion that the minimum rates of wages should be fixed under the Minimum Wages Act 1948 (11 of 1948) in respect of the employment in Marble Mines and Calcite Mines;

Now therefore, in exercise of the powers conferred by Section 27 of the said Act, the Central Government hereby gives notice of its intention to add the said employment to Part I of the schedule to the said Act.

Any suggestions or objections which may be received from any person in respect of the said addition on or before the expiry of a period of three months from the date of publication of this notification in the official Gazette, will be considered by the Central Government.

[File No. S-32011/8/78-WC(MW)]

का. आ. 1957 :—केन्द्रीय सरकार, न्यूनतम मजदूरी अधिनियम, 1948 (1948 का 11) की धारा 27 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, एतद्वारा उक्त अधिनियम की सूची के भाग 1 में हेमटाइट खानों के नियोजन जोड़ती है, जिसे जोड़ने के सम्बन्ध में वह भारत के राजपत्र, दिनांक 18 दिसम्बर, 1982 के भाग 2, खण्ड 3, उप-खण्ड (2) में प्रकाशित भारत सरकार के श्रम एवं पुनर्वास मंत्रालय की अधिसूचना सं. का. आ. 4222(अ) दिनांक 6 नवम्बर, 1982 द्वारा अपने आशय की सूचना पहले ही दे चुकी है।

[सं. एल-32017/3/82-इक्यू. सी. (एम. डब्ल्यू.)]

एम. एल. मेहता, अवसर सचिव

S.O. 1957.—In exercise of the powers conferred by Section 27 of the Minimum Wages Act, 1948 (11 of 1948), the Central Government hereby adds to Part-I of the Schedule to that Act, the employment in Hematite Mines, notice of its intention to do so having already been given by the notification of Government of India in the Ministry of Labour and Rehabilitation Number S.O. 4222 (E) dated the 6th November, 1982 published in the Gazette of India, Part II, Section 3, Sub-Section (ii) dated the 18th December, 1982 as required by the said Section.

[File No. S-32017/3/82-WC(MW)]

M. L. MEHTA, Under Secy.

New Delhi, the 13th April, 1983

CORRIGENDUM

S.O. 1958.—In the Award dated 28th February, 1983 (reference from 59 of 1981) of the Central Government Industrial Tribunal No. 2, Dhanbad in an industrial dispute published vide this department Notification No. L-24011(2)/81-D.IV(B) dated the 9th March, 1983, please insert following two names in the list of 40 workmen making clay cartridge in Sayal 'D' Colliery incorporated in the Award namely :—

(i) Sl. No. 21 Smt. Sukro Devi.

(ii) Sl. No. 22 Smt. Geeta Devi.

[L-24011(2)/81-D. IV(B)]

R. K. GUPTA, Desk Officer

New Delhi, the 15th April, 1983

S.O. 1959.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Bombay, in the industrial dispute between the employers in relation to the management of Dongri Buzurg Manganese Mines of Messrs Manganese Ore (India) Limited, Nagpur, and their workmen, which was received by the Central Government on the 30th March, 1983.

BEFORE THE CENTRAL GOVERNMENT

INDUSTRIAL TRIBUNAL NO. II, BOMBAY

CAMP : NAGPUR

PRESENT :

Shri M. A. Deshpande, Presiding Officer.

Reference No. CGIT-2/22 of 1982

PARTIES :

Employers in relation to the management of Dongri Buzurg Manganese Mines of Messrs Manganese Ore (India) Limited, Nagpur

AND

Their Workmen

APPEARANCES :

For the Employers—Shri G. G. Modak, Advocate.

For the Workmen—Shri C. S. Dhabe, Advocate.

INDUSTRY : Mining

STATE : Maharashtra

Bombay, dated the 9th March, 1983

AWARD

(Dictated in the Open Court)

1. By their order No. L-27012(6)/81-D.III(B), dated 24-3-82 the following dispute has been referred under Section 10(1)(d) of the Industrial Disputes Act, 1947.

"Whether the action of the management of Dongri Buzurg Manganese Mines of Messrs Manganese Ore (India) Limited in terminating the services of the workmen whose names are given in the Annexure on the dates mentioned therein is justified. If not, to what relief are the workmen entitled?"

ANNEXURE

Sl No.	Name of the workman	Designation	Date of Appointment	Date of termination
1.	Sh. Pannalal Millo	P.R. Worker	29-12-51	24-3-81
2.	Sh. Khemsingh Chaitram	-do-	24-5-72	5-5-81
3.	Sh. Suka Zadu	-do-	27-11-54	5-5-81
4.	Sh. Suklal Kaliram	-do-	24-5-72	5-5-81
5.	Sh. Videsi Pream	-do-	12-12-78	5-5-81

2. The dispute is an outcome of termination of service of the five workmen whose names are stated in the order of reference and who the record speaks have put in service ranging from 3 years to 29 years as on the date of termination of service in the case of one from 24-3-81 and in the case of remaining 5-5-81. The case of the Union who have espoused the cause of the workman is that this termination amounts to an order of dismissal and since none of the offences for which the workmen were convicted were involving moral turpitude, the management could not have validly severed the relationship. It is further alleged that the Mines Manager being not a competent authority could not have passed the impugned order and it is urged that the termination is nothing but an order of dismissal and therefore needs intervention by this Tribunal. Lastly it is urged that the punishment of termination is harsh and as such lenient view is called for.

3. On behalf of the management it is urged that the action had been taken under rule 32 of the Certified Standing Orders which empowers the management to terminate services or dismiss an employee when convicted of a criminal offence in a Court of Law. It is further urged that workman Shri Pannalal Millo was convicted in criminal case No. 33/81 under Section 66(1)(b) of the Bombay Prohibition Act and sentenced to one day's S.I. and fine of Rs. 30, Shri Khemsingh Chaitram, Shri Sukha Zadu, Shri Suklal Kaliram and Shri Videsi, Pream were convicted for gambling in criminal case No. 35/81 under Section 12(a) of the Prevention of Gambling Act and sentenced to suffer one day's S.I. and fine of Rs. 50. It is alleged that because the offences for which the workmen were convicted were of extremely serious nature and the management thought it did not befit an employee to indulge in such criminal activities it was decided to take an action and accordingly the orders of termination of service were passed.

4. On the strength of the above pleadings following issues arise for determination.

Issues	findings
(i) Was't incumbent upon the management to follow the procedure contemplated by standing order No.31 ?	Yes
(ii) If yes, is the order of termination bad on this count ?	No.
(iii) Is the said order illegal, not having been passed by the competent authority ?	No.
(iv) Whether the order of termination amounted to imposing punishment ?	Yes
(v) If yes, is the said order disproportionate ?	Yes
(vi) Whether the services of the five workmen, legally terminated ?	No
(vii) If not, a to what relief, they are entitled ?	As per order.

REASONS

5. Admittedly the action has been taken by the management on the strength of the authority derived from the Standing Orders. For the present purpose we are concerned with clauses 29, 31 and 32. My attention is also drawn to clause No. 35(b). Now under clause 29 various acts have been defined as acts of misconduct and they are divided into two categories, ordinary or minor misconduct and gross or major misconduct. Clause 29(14) speaks of conviction in any Court of law for any criminal offence involving moral turpitude and it falls under category 'B' which is termed as a major misconduct. It may be stated here that mere gambling is also a misconduct but it falls in the category 'A' and is termed as minor misconduct. Clause 31 speaks of procedure for imposition of penalty while clause 30 has laid down the penalties for misconduct and the punishment for major misconduct may be dismissal from service disqualifying for future employment. There is also clause 32 and since great stress has been laid on the same it is being quoted ad-verbatimum.

"32. Special Procedure in Certain Cases.—Where a workman has been convicted of a criminal offence in a court of law or against the interest of security to continue to employ the workman, the workman may be removed or dismissed from service without following the procedure laid down in Standing Orders No. 31 above."

What has been urged on behalf of the management is that ever may have been laid down either in clause 29 or in clause 31, clause 32 confers a special procedure in certain cases viz. where a workman has been convicted of a criminal offence and it is further urged that the management without considering the earlier mentioned clauses can straight away remove or dismiss such workman who has been convicted by competent Court of law. We have already seen that to amount a conviction to be a gross misconduct it must be a conviction for any criminal offence involving moral turpitude. It was however urged that even though the offence to attract clause 29(14) must be an offence involving moral turpitude, the offence referred to in clause 32 may not be such type of offence and even then the management is authorised to remove or dismiss a person from service. In my view such argument cannot be accepted. If clause 32 is to be read disjunctively from either clause 29 or 31, then it cannot be said to be an order for misconduct, it would then may not amount to an order of punishment and in that case it would squarely fall within the definition of retrenchment under section 2(cc) of the I.D. Act where it means a termination for any reason whatsoever otherwise than as a punishment inflicted by way of disciplinary action. If the argument advanced on behalf of the management is accepted and it is held that apart from clause 29 or 31 this is an additional power conferred on the management, then certainly section 2(cc) would be attracted, the scope of which by the recent decisions of their Lordships of Supreme Court is sufficiently enlarged.

On going through the relevant clauses referred to I am convinced that only effects of clause 32 is, when ordinarily in the case of misconduct, procedure laid down in clause 31(1) or (2) has to be followed, the management is absolved in the case of conviction by a competent criminal court from following the said procedure, to hold an enquiry, and then to arrive at a conclusion. When there is a finding of guilty noted by a criminal court, holding of an enquiry would be nothing but duplication of the same work and therefore an exercise in wilderness. It was therefore thought that in such type of cases without holding an enquiry, which otherwise has been a must, for the act committed by the workman, the management is competent to pass the extreme order viz. removal or dismissal. Such an interpretation is evident from the words "without following the procedure laid down in standing order No.31 above". Had clause 32 to be read disjunctively, no reference would have appeared to the procedure contemplated by standing order No.31. In my view therefore it is not an additional authority conferred on the management to remove or dismiss a workman from service but the crux remains the same viz. the proof on major misconduct and what is dispensed with is holding of an enquiry which is redundant when there is an order by a competent court of law.

7. In my view therefore before any order of termination whether by way of discharge or dismissal is upheld, all the tests laid down in standing orders will have to be applied. If it is merely a termination not amounting to a punishment, then Section 25F would be very much attracted in the absence of which procedure the order would be invalid and illegal. However, since there is a conviction the concept of punishment is present and as such it will have to be seen whether the order which amounts to discharge or dismissal is justified.

8. It is already seen that the workmen were convicted for offence under Gambling Act and Prohibition Act. The question therefore which poses for determination is whether these acts involve moral turpitude without which it cannot be termed as a gross misconduct. In a similar case under Prohibition Act reported in 1982, II, III page 303 this: Lordships of Madras High Court held that a conviction under Prohibition Act does not involve moral turpitude. In view of this decision the punishment under Section 12(a) of Prevention of Gambling Act can never be said to be such an Act to attract sub-clause 14 of clause 29.

9. Once it is held that the material ingredient viz. major misconduct is absent, any order passed by the management based on the order of conviction cannot be upheld and therefore shall have to be set aside. The effect thereof would be that these workmen will have to be reinstated but if no order of reinstatement is passed compensation will have to be paid and cogent reasons shall have to be advanced. The record speaks that workman Shri Pannalal Milla has put in 29 years of service while Shri Suka Zadu has put in 26 years of service. In my view in their case the payment of arrears treating today's date as date of termination with the compensation under Section 25F of the I.D. Act could meet the ends of justice. It is not stated anywhere by the management that on termination they were gainfully employed anywhere else. If anything towards this claim has been paid already to them the same shall be deducted.

10. In the case of remaining three workmen, regard to the less number of years of service put in by them, since the order of termination is found to be bad and unjustified they shall be reinstated with all the back arrears.

11. Had I accepted the argument on behalf of the management regarding clause 32, I wish to note here, that the severance of relationship of employer and employee, in the circumstances of the case, could never have been said to be justified but would be harsh and the same relief would have been granted. These are poor people who have paid the fine for the offence committed by them but in their case the dismissal would amount to not only imprisonment for their own life but also their families are bound to suffer. I, therefore, hold that the order of termination

could never have been justified when clause 32 is attracted or not

Award accordingly.

M. A. DESHPANDE, Presiding Officer,
dated 17-3-83.

[No. L-27012(6)/81-D, III(B)]
S. K. BISWAS, Under Secy.

